

**CITY OF KINGMAN  
MEETING OF THE COMMON COUNCIL  
Council Chambers  
310 N. 4th Street**

**5:30 PM**

**AGENDA**

**Tuesday, January 19, 2016**

**REGULAR MEETING**

**CALL TO ORDER AND ROLL CALL**

**INVOCATION**

The invocation will be given by Pete Ernst of Manzanita Baptist Church

**PLEDGE OF ALLEGIANCE**

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

**1. APPROVAL OF MINUTES**

- a. The Regular Meeting Minutes of December 15, 2015**
- b. The Regular Meeting and Executive Session minutes of January 5, 2016**

**2. APPOINTMENTS**

- a. Consideration of appointing Jan Davis to the Tourism Development Commission (TDC)**

The TDC has a vacancy with the expiration of the term of Jim Baker. The TDC met on January 7, 2016 and recommended appointing Jan Davis to a term from January 1, 2016 to December 31, 2018. **Staff recommends approval.**

- b. Consideration of appointing Economic Development and Marketing Commission (EDMC) members**

The EDMC has two vacant terms that expire December, 2017. On January 13, 2016 the EDMC voted 5-0 to recommend appointing Alasandra Reynolds and Burt Dubin to fill the two vacant terms. **Staff recommends approval.**

- c. Discussion and appointment of Council Liaisons to City of Kingman Boards and Commissions**
- d. Discussion and appointment of Council Liaison for the Western Arizona Council of Governments (WACOG) Executive Committee**

**3. AWARDS/RECOGNITION**

- a. Promotion badge pinning/employee introduction**

The fire department has recently promoted and/or hired numerous positions. The fire department would like to conduct badge pinning for the following ranks:

Oscar Lopez

Fire Prevention Specialist

11/9/2015

Justin Garcia	Firefighter	7/29/2015
Brett Wildebaur	Firefighter	10/19/2015
Cody Wood	Firefighter	10/19/2015
Robert Cole	Firefighter	1/5/2016
Chris Chavez	Firefighter	12/26/2015
Chris Angermuller	Battalion Chief – Training	1/4/2016
Len DeJoria	Battalion Chief – Prevention	10/12/2015
Andrew Rucker	Battalion Chief – Operations	10/5/2015
Dan Winder	Battalion Chief - EMS	10/19/2015
Chris Simpson	Captain	12/27/2015
Joey Meins	Captain	12/27/2015

#### **4. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC**

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments from the Public will be restricted to items not on the agenda with the exception of those on the Consent Agenda. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

#### **5. CONSENT AGENDA**

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

##### **a. Consideration of Ordinance 1810R: permitting substitution of livestock allowances on properly zoned properties and clarifying pig and bird allowances**

Section 3-22 of the Kingman Code of Ordinances has been modified to permit livestock substitutions on properly zoned properties. The language has further been clarified to resolve ambiguities with regards to birds which has caused enforcement difficulties in the past for the Kingman Police Department (KPD). It is anticipated that the clarification will reduce or eliminate these difficulties. **Staff recommends approval.**

##### **b. Letter of appointment**

With approval, the designee from the Kingman Fire Department will be authorized by the State of Arizona to inspect state owned, leased, or otherwise occupied buildings for fire code compliance. The letter of approval appoints one person who meets the standards required by the A.R.S. Statute 41-2162 (A) (2) to act as Assistant Fire Marshal for the State Fire Marshal's Office. This appointment will be for Battalion Chief - Prevention Len DeJoria. **Staff recommends approval.**

##### **c. Consideration of grant of public utility easement**

John and Vonda Neal have requested a sewer extension to their property located at 7 Palo Christi Road. Since a portion of the proposed sewer main will be located within a private street, a public utility easement is required to allow for City maintenance of the main. The owners of the private street have executed the attached grant of public utility easement. **Staff recommends approval.**

##### **d. Resolution 4988: authorization for banking activities**

Resolution 4988 removes Diane Richards, Budget Analyst, as an authorized person to make wire transfers between the City's bank accounts. It removes the authorization for any person to make telephonic transfers between the City's bank accounts. **Staff**



**recommends approval.**

**e. Replace Court fax machine**

The Court's fax machine is 10 years old and beyond repair due to age and degradation. The Court would like to purchase a Xerox MFC3325 from Copier Source. **Staff recommends approval.**

**f. Electronic Crimes Task Force award**

The Kingman Police Department has been awarded \$1,000 for training, which will be used to partially cover costs associated with smartphone forensics training and certification. Remaining costs for the training and certification will be covered by the department training line item budget. **Staff recommends approval.**

**g. Proposed Resolution 4990: approving the final subdivision plat and improvement plans for Southern Circle, Tract 1968**

A request from Fripps Mohave Land, LLC, property owner and subdivider, and Raymond W. Stadler, P.E., project engineer, for the approval of a final subdivision plat and improvement plans for Southern Circle, Tract 1968. The subject property is zoned R-2: Residential, Multiple Family, Low Density and is located along the north side of Southern Avenue east of Harrod Way. The subdivision is proposed to have six residential lots on 1.21 acres and will include one new public street, Paula Place, which will connect to Southern Avenue. The final plat, final drainage report, improvement plans, retaining wall analysis and design, and engineer's opinion of probable cost have been reviewed by the City Engineer, Development Services Department, and other concerned agencies and was found to be in compliance with the Subdivision Ordinance and other applicable regulations. The final plat is also in accordance with the requirements of Resolution 4886 which approved the preliminary plat for Southern Circle, Tract 1968 on April 1, 2014. The subdivider is proposing to construct the required subdivision improvements prior to recording the final plat; therefore, an assurance agreement is not being offered. Once all improvements are completed and accepted by the Council the final plat will be recorded. An 18-month time frame is proposed for the completion of the improvements. **Staff recommends approval.**

**h. Proposed Resolution 4991: declaring the City's intent to collect paybacks for a sewerline extension in Cypress Street and Airfield Avenue (ENG14-068)**

The Engineering Department finalized a sewer payback calculation sheet for an extension of approximately 548 linear feet of eight-inch PVC SDR sewer line extension in Cypress Street and Airfield Avenue. The City intends to collect paybacks on behalf of the installing party on these sewer lines in accordance with the Municipal Utility Regulations. **Staff recommends approval.**

**i. Proposed Resolution 4992: declaring the City's intent to collect paybacks for a waterline extension in Florence Avenue east of La Salle Street (ENG15-055)**

The Engineering Department finalized a water payback calculation sheet for an extension of approximately 386 linear feet of six-inch water line extension in Florence Avenue east of La Salle Street. The City intends to collect paybacks on behalf of the installing party on these water lines in accordance with the Municipal Utility Regulations. **Staff recommends approval.**

**j. Resolution 4989: Arizona Department of Transportation (ADOT) Grant E6F2S**

Resolution 4989 accepts ADOT Grant E6F2S for \$70,527 for the reconstruction of Taxiway C and Aircraft Parking Apron; the local match for the Federal Aviation Administration (FAA) grant was previously approved. **The Kingman Airport Authority (KAA) respectfully requests the Council accept ADOT Grant E6F2S and adopt**

**Resolution 4989.**

**k. Selection of audit firm to perform professional auditing services for FY2015 - FY2019**

In November 2015, the City terminated its relationship with its audit firm, Heinfeld Meech. The City's Fiscal Year (FY) 2015 audit had not been completed prior to the termination. A request for proposal (RFP) to hire an audit firm to perform professional auditing services for FY2015 - FY2019 was submitted on December 11, 2015.

Interested proposers were able to submit proposals until January 8, 2016. On January 12, 2016, an evaluation committee reviewed, discussed and scored each proposer's submission. Of the six proposers, two proposers, HintonBurdick and CliftonLarsonAllen, responded to all mandatory elements, provided responses to all technical requirements, and included hours and rates for all schedules. Those proposers were also scored highly (above 90%) by each evaluator. **Staff recommends Council award the professional auditing services contract to CliftonLarsonAllen.**

**6. OLD BUSINESS**

**a. Review of Kingman Police Department (KPD) Lieutenant exempt classification**

On November 17, 2015 the Council reviewed a proposal from the Fire Department to reclassify three (3) Battalion Chiefs from exempt status to hourly status in pay grade 221. The agenda item was tabled when concerns were expressed by the Police Department Lieutenants. On December 15, 2015 the agenda item was returned to Council and the reclassification was approved. Council requested a report from the Police Department at the second meeting in January to reflect department challenges. The department has prepared a report that highlights current staffing levels, demand for service, challenges and a proposal that will keep Lieutenants at exempt status under pay grade classification 221. **Staff recommends implementing a change to the Lieutenant position, pay grade classification 221, with the addition of overtime under a "operational/situational call out" method or referring the proposal to the Management Team Compensation Committee for further review.**

**b. Consideration of Ordinance 1806: Kingman Crossing Planned Development District (PDD)**

At its January 5, 2016 meeting, the Council tabled action on Ordinance 1806 to allow Staff to provide the Council with information concerning pole signs in the Kingman Crossing area located north of the proposed Kingman Crossing Traffic Interchange. There are three zoning districts in this area. The first zoning district, Ordinance 1600 is for the hospital property north of Santa Rosa Boulevard and west and east of Kingman Crossing Boulevard. The other two zoning districts are located north of Interstate 40 (I-40) and south of Santa Rosa Boulevard. All three zoning districts allow freestanding signs; 300-square feet to be located 40-feet above the finished grade of I-40. Murals are permitted in the zoning districts on the north side. **Staff recommends approval.**

**c. Determine a property tax base levy and use of revenues for the May 17, 2016 election**

Over the past several months, Council has had many discussions surrounding the consideration of a primary property tax. At the January 7, 2016 Council work session, the general consensus was to move forward with the primary property tax initiative, but the property tax base levy and use of revenues were not determined. In order to meet

the May 17, 2016 election timelines, Council must determine the primary property tax base levy and use of revenues at the January 19, 2016 Council meeting. **In order to meet deadlines, Staff recommends Council approve a primary property tax base levy and use of revenues.**

**7. NEW BUSINESS**

**a. Fireworks**

At the Council work session on January 7, 2016, there was discussion on whether the Council was interested providing a block party or fireworks display for the July Fourth celebration. The direction provided was that Council was more interested in a block party than fireworks display. The Council also heard a presentation from Judith Landells regarding an invitation for Kingman to come to Valle Vista for a fun filled day of events and a fireworks display. Since the work session, Erin Cochran has stepped forward and volunteered to raise the funds if the City is willing to put on the show. The Council will need to decide whether or not to put funds into the 2016-2017 budget. If approved, Ms. Cochran will begin raising funds and turning them over to the City to cover costs. **While it will be labor intensive, Staff recommends providing both as long as a safe location can be secured for the fireworks display and funds can be secured from private sources.**

**8. REPORTS**

**Board, Commission and Committee Reports by Council Liaisons**

**a. Engineering Department report and capital project updates**

Engineering Services will provide a report on the department and its functions and responsibilities. There will also be an update and review of current capital improvement projects (CIP). This presentation is for informational purposes.

**b. Board, Commission and Committee Reports by Council Liaisons**

**9. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER**

*Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.*

**10. EXECUTIVE SESSION**

**a. Executive Session**

Pursuant to ARS 38-431.03(A)(4), the City Attorney requests the Council enter executive session to discuss potential litigation regarding the Central Christian Church and the City's denial of a conditional use permit (CUP).

**ADJOURNMENT**



**CITY OF KINGMAN  
COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Sydney Muhle, City Clerk

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** The Regular Meeting Minutes of December 15, 2015

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**SUMMARY:**

The Regular Meeting Minutes of December 15, 2015

**FISCAL IMPACT:**

**STAFF RECOMMENDATION:**

Approve the minutes.

**ATTACHMENTS:**

Description

The Regular Meeting Minutes of December 15, 2015

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	1/14/2016 - 5:28 PM

**CITY OF KINGMAN  
MEETING OF THE COMMON COUNCIL  
Council Chambers  
310 N. 4th Street**

**5:30 PM**

**DRAFT MINUTES**

**Tuesday, December 15, 2015**

**REGULAR MEETING**

<b>Members</b>	<b>Officers</b>	<b>Visitors Signing in</b>
<b>Richard Anderson – Mayor</b>	<b>John Dougherty, City Manager</b>	<b>See attached list</b>
<b>Carole Young - Vice Mayor</b>	<b>Jackie Walker, Human Resources Director</b>	
<b>Mark Abram</b>	<b>Carl Cooper, City Attorney</b>	
<b>Larry Carver</b>	<b>Jake Rhoades, Fire Chief</b>	
<b>Kenneth Dean</b>	<b>Greg Henry, City Engineer</b>	
<b>Jen Miles</b>	<b>Rusty Cooper, Deputy Chief of Police</b>	
<b>Stuart Yocum</b>	<b>Mike Meersman, Parks and Recreation Director</b>	
	<b>Tina Moline, Finance Director</b>	
	<b>Gary Jeppson, Development Services Director</b>	
	<b>Rob Owen, Public Works Director</b>	
	<b>Joe Clos, Information Services Director</b>	
	<b>Sydney Muhle, City Clerk and Recording Secretary</b>	
	<b>Erin Roper, Deputy City Clerk</b>	

**CALL TO ORDER AND ROLL CALL**

Mayor Anderson called the meeting to order at 5:31 P.M. and roll call was taken. All Council members were present. The invocation was given by City Attorney Carl Cooper after which the Pledge of Allegiance was said in unison.

**INVOCATION**

The invocation will be given by Steve McCall of Desert Church of Christ.

**PLEDGE OF ALLEGIANCE**

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN

ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

**1. APPROVAL OF MINUTES**

**a. The Regular Meeting minutes of December 1, 2015**

Councilmember Young said that she would abstain from voting on this item as she was not present for the December 1, 2015, meeting.

Councilmember Abram made a MOTION to APPROVE the Regular Meeting minutes of December 1, 2015. Councilmember Miles SECONDED and it was APPROVED by a vote of 6-0 with Councilmember Young ABSTAINING.

**2. APPOINTMENTS**

**a. Reappointment of commissioners to the Municipal Utility Commission (MUC)**

The terms for Commissioners Pat Yarish, Toby Orr and Marvin Yarbrough will expire on December 31, 2015. No new talent bank applications have been received. **At their November 23, 2015 meeting, the MUC voted 4-0 to recommend reappointment of commissioners Pat Yarish, Toby Orr and Marvin Yarbrough.**

Councilmember Miles made a MOTION to REAPPOINT Pat Yarish, Toby Orr, and Marvin Yarbrough to the Municipal Utilities Commission. Councilmember Young SECONDED and it was APPROVED by a vote of 7-0.

**b. Consideration of appointing two candidates to the Planning and Zoning Commission**

The Planning and Zoning Commission considered eight candidate applications on December 8, 2015 to fill one term expiring in December, 2015 and one term expiring in December, 2016. **The Planning and Zoning Commission recommends that the Council appoint two commissioners from the following candidates: Mark Bailey, Laurie DeVries, Gary Fredrickson, Jed Noble, and Thomas Schulte.**

Councilmember Abram said that there are two seats available on the commission and several names were brought before the commission for consideration. He said that applicant Laurie DeVries pulled her application and four candidates were forwarded to the Council for approval to two seats.

Mayor Anderson noted that no specific recommendation had been made.

Development Services Director Gary Jeppson said that applicant Jed Noble was on the Transit Advisory Commission and would have to resign from that if he were appointed to the Planning and Zoning (P&Z) Commission.

Applicant Gary Fredrickson addressed the Council and said that he has been a resident of Kingman for seven and a half months. He said that growing up he witnessed what a

major freeway does to a city and the good and developments that come with it. He said that his experience can help the city. He said that Moreno Valley, California, grew to 200,000-plus and was a bed room community struggling for jobs until late in life. He said that this led to him moving to Kingman in April for more economic development and growth. He said that he will be fair and respect the past while moving forward.

Applicant Mark Bailey addressed the Council and said that he has been a homeowner in Kingman since 2006 and a permanent resident since 2013. He said that he worked on the Salt River Project and various other projects. He said that he worked on projects including railroad and pipelines through eminent domain. He said that he was a part of the Arizona Historical Society in St. Johns, Arizona, and served on other committees. He said that he has the general background knowledge and experience including mitigation of rights-of-way.

Applicant Thomas Schulte addressed the Council and said that he retired a year and a half ago. He said that he researched where he wanted to live and this brought them to Arizona. He said that he narrowed it down to a couple of locations and fell in love with Kingman. He said that he bought a house here on their first trip. He said that he was a senior executive in the service industry where there are a lot of regulations and he had to learn and was involved in major project planning. He said that he is a member of the Moose Lodge and volunteers at the golf course. He said that he had to understand the intent of requests and the unintended consequences of them. He said that he learned to dig down to see the issue and how to be a good leader and follower which he worked hard to develop. He said that he learned how to say no and explain why a project was not approved and how to resubmit the request to get it approved. He said that he has done a lot of volunteer work and believes that you have to give something back to the community. He said that it is important to recognize the historical significance of Kingman with the controlled growth. He said that he feels he has something to add and learn.

Applicant Jed Noble addressed the Council and said that he had submitted his application a while ago and was appointed to the commission for the Kingman Area Regional Transit (KART) system. He said that he was not aware of the restrictions of serving on both and would be happy to turn consideration over to another candidate.

Councilmember Carver asked if the other applicants were present.

Councilmember Abram said that the P&Z Commission only put through five applicants and Laurie DeVries pulled out. He said that there is a lot of good expertise and two applicants stand out to him in Mr. Fredrickson and Mr. Bailey. He said that Mr. Shulte was also up there but he noticed Mr. Shulte's willingness to serve on the Golf Course Advisory Commission.

Councilmember Abram made a MOTION to APPOINT Gary Fredrickson and Mark Bailey to the Planning and Zoning Commission. Councilmember Young SECONDED and it was APPROVED by a vote of 7-0.

Mayor Anderson noted that the commission may have another vacancy coming up and he hoped applicants would remain interested. He thanked all of the applicants for applying and congratulated the two new commission members.

**c. Discussion and possible action regarding appointment of a vice-mayor**

Mark Wimpee, Sr. resigned from the position of vice-mayor and the Council in October, 2015. The Council will discuss selecting a new vice-mayor and possibly appoint a member to that position.

Mayor Anderson said that there would not be an Executive Session for the Vice Mayor selection and asked that those Council members interested let the Council know. He said that those who are interested will have three minutes to convince the rest of the Council on who to move forward with.

Councilmembers Carver and Young expressed their interest in being appointed as Vice Mayor.

Councilmember Young said that she previously served one year as Vice Mayor and the main purpose of this position is to work closely with the Mayor and City Manager on agenda items and to attend several meetings and conferences. She said that this person has to have the freedom and time to serve in the place of the Mayor and requires a lot of community commitment. She said that she has 25 years of leadership experience working at Frontier Communications and had a staff of 200 employees. She said that she is organized and has economic development experience. She said that she feels the Vice Mayor should work closely with the Mayor, Council and City Manager on Kingman Crossing. She said that she has knowledge of strategic planning and moving projects in to the implementation stages. She said that she served one year as Vice Mayor and has served seven years on the Council. She said that she is familiar with staff and commissions and knows most of the employees. She said that she would be honored to get the Council's vote.

Councilmember Carver said that he spent 21 years with the Arizona Highway Patrol and has been the Exalted Leader of the Elks Lodge. He said that he has worked on budgets and has leadership experience. He said that his first couple of years on the Council were spent learning and he is now very active with the Mayor and City Manager. He said that Councilmember Young has been on the Council for seven years and served once as Vice Mayor. He said that he feels it is time to give someone else a shot and that is why he did not vote for her before. He said that he does not always agree with the Mayor and the Council needs someone to show the other side. He said that he serves in an elected office and is not a politician.

Mayor Anderson asked the rest of the Council if they had any questions for either Councilmember Carver or Councilmember Young.

Councilmember Dean asked how long Councilmember Carver had been on Council.

Councilmember Carver said that he was in his third year on the Council.

Councilmember Miles said that she heard one project mentioned and asked what the most compelling strategic issues were for the coming year.

Councilmember Young said that the main issue for her would be sustaining the revenue base to provide essential services. She said that 62-percent of the budget is for public safety and she wants to maintain or exceed the current level of service. She said that positions need to be filled and there will be more growth if the community is for



Kingman Crossing. She said that there are not efficient response times and a fire station and police substation are needed. She said that her focus is public safety and creating a fair revenue base. She said that it is up to the community whether this is through a property tax or a sales tax. She said that the City needs a stable revenue base to maintain service.

Councilmember Carver said that he is in the same mode with a revenue source though he does not share the same priorities. He said that public safety is a necessity but if the City does not have the money to fix its infrastructure then the town cannot survive and there will be no need for public safety. He said that the City has to be able to increase things to provide services and need to give people a reason to come here. He said that without other infrastructure people will not show up.

Councilmember Abram said that a lot of other towns rotate Vice Mayors to give someone else that feel and experience. He asked if, knowing that the Vice Mayor takes the place of the Mayor if something happens to the Mayor and the Mayor's position takes a significant amount of time more than the Council, would that time be available for each.

Councilmember Carver said that he asked someone about this today and they said to quit wasting time focusing on that. He said that he could give that amount of time but would not want something to happen to the Mayor.

Councilmember Young said that she did not want that to be the case. She said that she could step in tomorrow with complete transparency. She said that she has no conflict with organizations and no personal agenda. She said that the Vice Mayor does spend a lot of time in the community and there are a lot of times they will get a last minute call from the Mayor to do something and she can do that.

Mayor Anderson said that there was quite a bit of building going on in 2006, 2007 and 2008 with a lot of homes put in and streets built. He said that many subdivisions were put in before the recession and the streets were given to the City which the City now has to maintain. He said that he would be interested in hearing how each would handle the new and growing function of maintaining new roads.

Councilmember Carver said that the City needs a revenue source to do this and without it the City will have to start pulling from other areas. He said that he has sat down with the Public Works and Finance directors and asked what can be reduced to maintain these. He said that the City would be on a shoestring budget until a revenue source is developed.

Councilmember Young said that the City has a Capital Improvements Plan and has to prioritize. She said that the City does have to repave roads and one issue is having several unpaved roads that do not reach the Capital Improvements Plan. She said that she would like to see this on there. She said that this is based on Highway User Revenue Fund (HURF) funds and unlike the City water and sewer service these are maintained by the General Fund. She said that it depends on what the City has as to what can be done.

Mayor Anderson asked for a roll call vote with each Councilmember saying the candidate they would like to select as Vice Mayor.

Councilmember Young was APPOINTED as Vice Mayor by a vote of 5-2 with Councilmembers Carver and Dean voting for Councilmember Carver.

### **3. AWARDS/RECOGNITION**

#### **a. Citizen recognition**

On October 30th at approximately 10:30 A.M. officers responded to a collision between a motorcycle and SUV at the intersection of Main and Wickieup. The rider of the motorcycle received life threatening injuries as a result of the collision. Off-duty Arizona Department of Public Safety (DPS) Trooper Leo Becenti Jr. and citizen Ellen Baca heard the collision and immediately went to the aid of the rider. According to family members, the surgeons were able to save the rider's life and leg due to the prompt actions of Trooper Becenti and Ms. Baca. Both individuals are to be commended for their quick and selfless response to an individual in distress.

Deputy Chief of Police Rusty Cooper addressed the Council and said that he was representing the police department on behalf of Chief Robert DeVries who was not able to attend. Deputy Chief Cooper explained the incident that occurred and said that the accident victim is now recovering and surgeons were able to save the gentleman's life and leg due to the quick actions of Trooper Becenti and Ms. Baca.

Fire Chief Jake Rhoades addressed the Council and said that in today's society you don't know how people are going to react. He said that this was an extraordinary act and Trooper Becenti and Ms. Baca jumped into action. He said that there is no training to create a tourniquet in this manner. He said that these were extraordinary actions and he is proud to know that there are citizens like Trooper Becenti and Ms. Baca to make a difference.

Deputy Chief Cooper introduced Department of Public Safety District One Lieutenant Ron DeLong and Major John Philpot. He also said that KPD Sergeant David Coffin had spoken with the Bach family who wanted to pass along how grateful they were that Trooper Becenti and Ms. Baca saved both Mr. Bach's life and leg. The family said that Mr. Bach has a long road to recovery but he will walk again. He then presented certificates of appreciation and life saving to Trooper Becenti and Ms. Baca on behalf of the Kingman police and fire departments.

Mayor Anderson said that Kingman is a fantastic town with wonderful residents and neighbors who will go out of their way to help. He said that Kingman cares.

### **4. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC**

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments from the Public will be restricted to items not on the agenda with the exception of those on the Consent Agenda. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

Resident Graig Graves addressed the Council and said that he was there to thank the people

who helped save the Downtown Post Office. He said that this took a lot of work and people but it started with the City. He said that he wanted to bring attention to how quirky downtown is and said that his family has had a store downtown for 55 years. He said that he has seen councils come and go and what does and does not work. He said that he has seen angled parking added to the streets and locations with pass through parking such as the Central Commercial building. He said that there are always cars moving in and out. He said that downtown can handle a lot of traffic but cars have to be able to move in and out. He asked the Council to consider this for the downtown area.

Marianne VanHasselt addressed the Council and said that she wished to speak on item "7b".

Resident Scott Dunton addressed the Council and said that he was there as the president of the Route 66 Association of Kingman. He thanked the Council for their support of Route 66. He said that the Ramada hotel was recently redone and looks great. He said that the Chambers family owns several buildings which is tremendous. He said that if you look at the other stuff downtown that the association cleaned up that looks a lot better. He said that Jamie Taylor is in charge of Beale Celebrations now which he thinks is going to take off and their Elks building has been busy every weekend for the last six weeks. He said that things are picking up. He said that the coffee shop was moving into a larger building and Bubba was moving into the coffee shop which is a big deal. He said that Terry Thompson bought the building next to him and is putting in a brewery. He also said that the cross fit business is moving. He said that there are great things going on for Route 66. He said that his family has been here for many years and Route 66 is their life. He said that the General Plan is working and asked the Council to join them in helping with historic things in Kingman. He said that there would be a fundraiser at Beale Celebrations in January and keeping on course is up to the Council.

Mayor Anderson began to respond to Mr. Dunton and City Attorney Carl Cooper stated that this was not allowed during the Call to the Public. Mayor Anderson told Mr. Dunton that he say the "Historic Route 66" sign when he got off of Interstate 40 and thanked Mr. Dunton for this.

Mr. Dunton stated that he asked the Arizona Department of Transportation (ADOT) to change the signs to make this the most important part. He said that the Council has a chance to make this better.

## **5. CONSENT AGENDA**

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

### **a. Professional Services Agreement at Railroad Museum**

According to the agreement, the Whistle Stop Railroad Club (WSRRC) will utilize the "Hertz space" in addition to the original space they occupied in the Kingman Train Depot. WSRRC will be required to have the museum open five days a week. They will also be responsible for routine maintenance of the museum portion of the Depot including, but not limited to, cleaning, dusting, routine repairs, and stocking the restrooms. The City will be responsible for major repairs and the utilities. The agreement renewal will be for one year and will begin on January 1, 2016. **Staff recommends approval.**

**b. Award of bid for a new office building**

The Mohave Area General Narcotics Enforcement Team (M.A.G.N.E.T.) Board of Directors sought bids for the construction of a new office building at their current location on Flightline Drive. One bid was submitted and opened on November 25, 2015 with the bidder being T.R. Orr Inc. with a construction cost of \$132,000.00. The bid was reviewed and approved by the M.A.G.N.E.T. Board of Directors on December 4, 2015. **Staff recommends approval.**

**c. Consideration of an exception to Section 9-5(c)(1) to permit overhead power to a detached garage at 3724 N. Moore Street**

The residents at 3724 N. Moore Street are constructing a detached garage on the rear portion of their property. There is a powerline along the rear of the lot that serves the properties on the east of Moore Street and the west side of Bond Street. Unisource Energy will not charge them for an overhead line drop from this power line. Subsection 9-5(c)(1) of the City Code requires underground power. An underground power line will cost the residents \$2,000 and require them to run the line across the Hackberry right-of-way. **Staff recommends approval of the exception.**

**d. Authorization for the purchase of a Computer Aided Dispatching (CAD) paging interface**

The Kingman 9-1-1 Center currently utilizes a manual process of email, phone, and text messaging to notify Command Staff of major incidents or to call out additional personnel. The CAD paging interface will automate this process. The Kingman 9-1-1 Center and Kingman Police Department have a contract with New World Systems to provide CAD Software and the paging interface would be an add-on to the existing system. **Staff recommends approval.**

Councilmember Yocum made a MOTION to APPROVE the Consent Agenda as presented. Councilmember Abram SECONDED and it was APPROVED by a vote of 7-0.

**6. OLD BUSINESS**

**a. Consideration of grant of easement to Unisource (UNS) Electric at Kingman Crossing property (ENG15-069)**

The proposed easement is along the west boundary of the Kingman Crossing property (Parcel 322-06-010) and is intended to cover existing power poles, electric lines and guy anchors that were installed many years ago when the property was under ADOT ownership. This easement request was reviewed and tabled at the October 20, 2015 Council meeting. On November 16, 2015, Staff met with members of Unisource Electric but were unable to reach any additional agreements on the easement language. **Staff recommends including the standard franchise language in the easement document, which requires the electric company to bear the costs of any future relocation of their facilities. Staff further recommends authorizing the mayor to sign the agreement on behalf of the City.**

City Engineer Greg Henry addressed the Council and said that this item was previously

discussed that the October 20, 2105, Council meeting. He said that Unisource has requested an easement for existing poles on the Kingman Crossing property. He said that there was concern last time about a paragraph in the agreement that required Unisource to pay to move the poles. He said that staff has met with Unisource and discussed that paragraph. He said that Unisource has proposed making this a 50/50 split which staff did not agree with. He said that staff is looking at what is best for the City and the language proposed is directly from the franchise agreement ratified by the public at election. He said that Mike Gibelou from Unisource would like to speak on this item. He said that staff feels this is fair and reasonable and is consistent with other City requirements.

Mr. Gibelou addressed the Council and gave them a packet of information. He said that part of this is a review of the last time showing the line for the easement. He said that this will allow the potential to serve more residents. He said that Unisource needs this easement and the main point of disagreement with staff is on the franchise paragraph. He then discussed the packet of information with the Council and said that the Detroit Avenue and Pacific Avenue poles are not in the way of possible expansion. He said that this might serve the Kingman Crossing development at a future date. He said that the concern is definitely the term "public benefit". He said that the franchise language did not include city parcels other than streets. He said that this is a concern for Unisource and sometime in the future there would be the public benefit to move the poles at Unisource's full expense. He said that he hoped the City would exhaust all other options before bringing this to Unisource. He said that Unisource is trying to serve several locations and feel this would be a concern for the future. He said that if Unisource is asked to move these poles then it will not just be Kingman rate payers that would shoulder the burden. He said that this would affect all Unisource customers which is not equitable. He said that Unisource is proposing sharing the costs. He said that Unisource needs this easement and will have to live with this and look at it at a future date.

Vice Mayor Young said that looking at the poles there are some riser poles that would have to be moved. She asked if this also means having to move the main transmission lines.

Mr. Gibelou said that this line is coming out of a substation and it would have to be redone and redirected.

Vice Mayor Young asked if there would be costs associated with the substation.

Mr. Gibelou said that Unisource would not have to move the substation because they own the property. He said that Unisource will have to dig a new trench and went over the process involved with this.

Vice Mayor Young noted that the cost will be put back on the rate payers.

Mr. Gibelou said that this is part of doing business.

Councilmember Carver asked Mr. Henry if the Unisource power poles are within the right of way.

Mr. Henry said that this would have to be determined by a judge as the original permit was issued by the Arizona Department of Transportation (ADOT). He said that ADOT requires utilities to make changes at their sole expense.

Councilmember Carver asked what the worst case scenario would be if something was to happen requiring the poles to be moved out of the right-of-way.

Mr. Henry said that the City would try to exhaust all options before asking Unisource for this. He said that the City has an existing easement with Unisource and if the City had to move these facilities the cost would be on the City. He said that if this proposal is modified for a 50/50 cost share then the existing easement should be modified to cost share as well.

Mr. Gibelou said that the existing easement is because of a large voltage line going through it. He said that he did not think Unisource would be interested in sharing the costs to move that line.

Councilmember Abram asked how many customers Unisource has that would have to share this cost.

Mr. Gibelou said that he did not know this number off hand but it was approximately 175,000.

Councilmember Abram said that they then did not know the cost to each customer.

Councilmember Miles asked for clarification that if the public benefit is to extend the roads that it would also be extended in another area and that both lines would have to be moved.

Mr. Henry said that this would be to provide access to Kingman Crossing.

Councilmember Miles clarified that both lines would be impacted which Mr. Henry said was a potential. She said that there would be a lot of thought before moving these.

Mr. Henry said that there would. He said that in his research cities in the Phoenix area require utilities to move larger lines at their sole expense and some charge just for the consideration of the easement and the cost to move it as well.

Vice Mayor Young asked if the same language is in other easements.

Mr. Henry said that it was for Suddenlink Communications. He said that it has been a while since he read the gas agreement but this language is in all of those contracts.

Mayor Anderson asked if Mr. Cooper had reviewed this agreement.

Mr. Cooper said that he had spoken with the attorney for Unisource and the arguments were the same. He said that the franchise agreement refers to public rights-of-way but extension of those roadways could cause the rights-of-way. He said that this is not currently in the Unisource agreement.

Councilmember Abram asked for clarification that two poles would be in violation if those roads were continued.

Mr. Henry said that this was possible. He also gave an example south of Airway Avenue.

Councilmember Abram asked if anyone knew the span between the poles and if it was possible to move them one direction or the other.

Mr. Gibelou said that the pole in line with Pacific Avenue would be difficult to move but the pole in line with Detroit Avenue can be moved. He said that moving a singular pole is not really the concern. He said that the concern is if someone comes back in 15 years and wants a pole moved as "public benefit" is not well defined.

Mayor Anderson said that public benefit is always a difficult term and he hears the City's position. He asked Mr. Gibelou what the cost for this would be.

Mr. Gibelou said that this was noted in the handout and moving the entire line would cost \$96,000.

Mr. Henry said that even if this language remains as is a future Council could allow the City to pay for a portion of this expense which Mr. Cooper agreed with.

Councilmember Abram said that he sees the argument and there is no guarantee for compensation. He said that the argument is that Unisource rate payers would have to bear the cost which would be around \$2.00 per customer and is not a bad deal. He said that this would be \$0.03 per bill. He said that he sees Unisource's point as giving the City a little bit of buy-in would make the Council think twice before moving the poles.

Mr. Carver said that if this is standard language it is hard to conceive that no other project is encumbered by such language.

Mr. Henry said that everything is currently in the right-of-way where there was no prior easement or one obtained by the City. He said that without that language then all others are covered.

Mr. Gibelou said that this franchise paragraph is new this year and this is a piece of property that the City owns that is not a street. He said that they were recently granted an easement near the library and this language was not in that one. He said that it is in another agreement near the Powerhouse. He said that staff has indicated they would like it in all agreements. He said that in some areas it does not matter but some others are unique. He said that without this other poles can't back them up and it takes longer to restore service.

Vice Mayor Young asked for clarification that this term was only recently added.

Mr. Gibelou said that it was added within the past year.

Councilmember Miles said that she thought this was standard language.

Mr. Henry said that it is within existing street rights-of-way. He said that Kingman Crossing is not a public street at this date and staff is trying to protect the future interest of the City. He said that this language has been in the ordinance and has been applied to City owned parcels within the last year.

Councilmember Carver clarified that the property in question was on the far west side that would not be involved if the City sold the Kingman Crossing property.

Mr. Henry said that this was correct and this area was classified as parks and open space.

Councilmember Carver made a MOTION to ADOPT the grant of easement with the franchise language as presented. Councilmember Abram SECONDED and it was APPROVED by a vote of 6-1 with Vice Mayor Young voting NAY.

**b. Battalion Chief - Operations reclassification**

The position of Battalion Chief – Operations for the Fire Department is currently an “exempt” status position due to their supervisory status and responsibilities within the department based on their assignment as “Shift Commanders.” The individuals within these positions serve in a mixture of exempt and non-exempt status; however, they lose many of the benefits associated with each classification. The work schedule and the requirements of this position bring the conclusion that these individuals would be better served and better serve the City of Kingman in a non-exempt classification. **Staff recommends the approval of the reclassification of the position of Battalion Chief - Operations as non-exempt status within the adopted pay plan for the city of Kingman.**

Chief Rhoades said that information was requested after the last meeting has been provided to the Council regarding job descriptions, pay scales and comparisons between battalion chiefs and police lieutenants. He said that this issue is all in the history of how it came about. He said that this is based on work schedules and of the six battalion chiefs three work 48/96 hour shifts regardless of the date and time. He said that they are the shift commander and are required as part of the minimum daily staffing. He said that when each shift hits a minimum of 13 people battalion chiefs cannot be allowed off due to overtime for coverage. He said that all other exempt employees work 40 hour weeks and the battalion chiefs cannot due to their schedules. He said that they have to work holidays when other exempt employees are off. He said that Councilmember Carver had asked him how many holidays the battalion chiefs have had off in the last three years and they have worked all but five holidays which they had to use vacation time to take off while other exempt employees get that off automatically. He said that other positions get holiday pay. He said that this can be absorbed into the current budget as the number of engineers has been reduced. He said that the department has reduced positions, will manage overtime, and use their part time program to help cover this. He said that comparisons on duties can be interchanged with the police department lieutenants with the exception that these three battalion chiefs work shifts. He said that they do not get time off during the week and this would be like everyone else coming to meetings on Saturday and Sunday.

Councilmember Miles thanked Chief Rhoades for the job descriptions and the functional duties are very different. She said that her concern was this matter going through the compensation committee and asked if this would be a good idea to do.

Chief Rhoades said that he worked with Mr. Dougherty on this and it never came to the compensation committee because it is a classification change. He said that the day after the previous meeting the committee was not available and this was never a consideration in working with Mr. Dougherty.



Councilmember Miles said that looking at the police lieutenants she thinks there are legal issues involved. She said that she did research on this and found cases in which shift commanders were determined to be exempt and others were non-exempt. She said that the job descriptions are very important. She said that there is still evidence in the job description that make this questionable.

Mr. Cooper said that he was not involved in this and it went through the Human Resources department and the City Manager.

Councilmember Miles said that non-exempt employees were non-managers and this needs to have a legal review. She said that this position seems to supervise full-time employees. She asked if they are full-time first responders.

Chief Rhoades said that this is the exception and there are those out there that manage this both ways. He said that the City of Casa Grande has exempt battalion chiefs who are allowed to collect overtime. He said that this is all over the place and that in looking at Arizona the majority of departments operate this way. He said that the department is trying to go back to how it used to be. He said that he is happy to work with Mr. Cooper to make sure that the department is meeting the intent of this.

Mr. Cooper said that he was not involved in this discussion and Human Resources and Risk Management Director Jackie Walker reviewed it.

Councilmember Miles said that this is a very contentious issue and it would be good to have a legal look at it.

Councilmember Young said that the battalion chiefs are being used as first responders as they go out on all emergency calls as first responders.

Chief Rhoades said that battalion chiefs do not go on medical calls and their response depends on the type of call. He said that they do respond and they do rest during their 48 hour shift, as all firefighters do, but they have a duty to respond. He said that two of the current battalion chiefs are hazmat technicians and will serve in different functions. He said that they are also NIMS certified incident commanders and an incident commander is required on everything the fire department does which has become standard.

Councilmember Dean asked why these positions were exempt in 2005.

Chief Rhoades said that he was not here when this occurred and Ms. Walker could give more insight into this. He said that there was a pay raise received by the police lieutenants and the battalion chiefs were rolled in to match the pay scales. He said that he believed this was contentious then and Ms. Walker could explain this better.

Ms. Walker said that in 2005 the Finance Department noticed a significant amount of overtime usage and recommended looking into the Fair Labor Standards Act (FLSA) and whether or not this position qualifies. She said that there were several exemptions that qualify and the employer has the option to move the position to exempt status. She said that the employer can always go above and beyond the law and pay an employer hourly. She said that the City chose to move the position to exempt.

Mayor Anderson asked for clarification that if a battalion chief goes on a call they are

more than just administrative and act as a first responder.

Ms. Walker said that this was correct but their primary responsibility is administrative though they do respond to many calls.

Councilmember Carver said that he asked Chief Rhoades to provide information on this matter and provided statistics on the number of calls run by the department and by the battalion chiefs. He said that there is something in the exemption about 50-percent administrative responsibilities. He said that the battalion chiefs are not running on that many calls and there was an adjustment when these positions were rolled into exempt status. He said that Human Resources did look back over a five year period and they were give an additional amount to the base. He said that in 2013 two battalion chiefs received an additional three-percent for compression and they are also given certification pay. He said that one police lieutenant get certification pay. He said that if it is a matter of shifts the battalion chiefs know their shifts. He said that if 48 hours is too long then maybe this needs to be cut back. He said this is comparing apples to oranges and the three police lieutenants don't know their shifts and can be called back. He said that he would prefer being told that they want to be paid for the amount of hours they work. He said that the lieutenants and administrative battalion chiefs are being fairly compensated.

Chief Rhoades said that this position will always work 24 hour shifts and would still be able to plan out their shifts. He said that the roll in followed a raise that the police lieutenants received. He said that the supervisory level was looked at and the battalion chiefs that will remain exempt are comparable to the police lieutenants. He said that he has no desire to move those individuals. He said that the operations battalion chiefs cannot take time off like any other employee. He said that to take a holiday off they have to burn their own time and this really is comparing apples to oranges.

Councilmember Carver said that when this was approached the last time the big things was that they would not get time off. He said that they have the ability to take time off and are asking the Council to give them overtime. He said that this is money the City does not have and the fire department's overtime use is high. He said that he would rather see the department hire additional personnel.

Chief Rhoades said that the department is down positions and he would like to bring back the paid-on-call program. He said that the pay rate for paid-on-call personnel is \$12.50 and \$13.50 for paramedics. He said that this program is also voluntary. He said that overtime is being managed more tightly and the elimination of three engineer positions is another way that the department is being more fiscally responsible.

Councilmember Carver asked what the likelihood is that an operational battalion chief can take time off and an administrative battalion chief can fill in.

Chief Rhoades said that there is a difference in training. He said that the prevention and other battalion chiefs stay up on their training but the operational battalion chiefs do these things daily. He said that the department has captains but this is an exception. He said that this would be hit and miss as they are not doing this daily to stay fresh.

Councilmember Miles said that she just attended the department's awards ceremony which was nice. She said that her concern is the process because there is a schedule to speak to adjustments during the budget process. She said that coming forward with this

at this time of year and not going through the compensation committee seems out of sync. She said that not enough eyes have looked at this and there is a need for a comprehensive analysis of the entire salary scale rather than piecemeal. She said that this has been done outside of a compensation analysis which is a bit frustrating. She said that she is not prepared to move forward with this on an individual position.

Chief Rhoades said that he spoke to this during the budget season and finally got it to move toward this which is how it got on the agenda last time.

Vice Mayor Young said she understands that this position is not being paid for the working hours. She said that she is bothered by them not being able to take time off to spend time with their families like other employees can.

Chief Rhoades said that he does not know what another option for this is. He said that the department has paid-on-call positions and voluntary call back. He said that he has one battalion chief with two new little girls and he is working Christmas Eve and Christmas day. He said that the department has tried to get call backs and no one has volunteered. He said that the other option is to drop below minimum staffing.

Councilmember Abram asked if operational battalion chiefs are in the station at all times.

Chief Rhoades said that they are. He said that they will attend department meetings but respond to calls from there. He said that there is no predictability to those calls and the department's calls are up 12-percent and they have not changed a thing. He said that this is all from growth. He said that they could receive calls at any given moment and a shift could have different calls.

Councilmember Abram said that do not have the opportunity to drive home to open presents and the police department can respond from home.

Chief Rhoades said that the department measures response times and the battalion chiefs are responsible for those times. He said that if they are at home then they are not engaged at the fire department and response times would suffer.

Councilmember Abram asked if the department was looking at readjusting because of the hourly pay.

Chief Rhoades said that the pay would be the same but the battalion chiefs would receive overtime and holiday pay. He said that there would not be a pay scale adjustment just the overtime. He said that the battalion chiefs work 2,880 hours annually while regular employees work 2,080 hours.

Councilmember Carver said that he was aware of battalion chiefs who have taken time off to run home.

Chief Rhoades said that the battalion chiefs will run home but he does not condone them staying there. He said that if other departments do that would be the exception. He said that this goes into response time and the model the department has set. He said that the battalion chiefs have to be engaged and that is imperative.

Councilmember Abram said that he thinks of a police lieutenant doing the same thing though they are still on duty.

Chief Rhoades said that this would compare to the administrative battalion chiefs or chiefs who would not be compensated. He said that they would all have to respond if there is a major call. He said that administrative battalion chiefs are also available for calls on duty.

Councilmember Abram said that he does feel for the battalion chiefs with the unavailability where others do not take holidays for them.

Councilmember Carver said that he takes another approach as battalion chiefs have taken holidays. He said that he would recommend they not be grandfathered in with dependent coverage.

Chief Rhoades said that this was started several years ago and the department is in agreement on it.

Mayor Anderson said that Chief Rhoades had indicated that the department would stay within the budget and that he has the flexibility to manage this. He asked, given the turnover and new people, at what point the department will lose flexibility.

Mr. Dougherty said that there will be no point where the department will go back to the overtime amounts of the past. He said that he and Chief Rhoades agreed, that not only this year but every year from here on, the department will stay within budget. He said that the department is shifting things around with the paid-on-call program versus full time employees to maintain this at some point.

Mayor Anderson asked for clarification that they have taken the initiative to stay within the budget which Mr. Dougherty said was correct.

Vice Mayor Young said that this puts in equality that the battalion chiefs will receive holiday pay if they work it.

Councilmember Carver said that the battalion chiefs get holiday pay like every other exempt employee.

Chief Rhoades said that the battalion chiefs would receive holiday pay. He said that they would not get the privilege of being off on holidays and would be treated like every other hourly employee who works holidays.

Councilmember Miles said that this would be applied to the 212 hours works.

Chief Rhoades said that the battalion chiefs would be paid for attending command staff meetings and additional training. He said that overtime has to be approved in order to manage it. He said that the new battalion chief of training will allow for training on duty but off duty training will be compensated.

Mayor Anderson said that he looks at this as initiative from the department for making this fair and has seen and heard that the department will have a responsibility to live within the budget. He said that he does not like to penalize creativity and the department is taking initiative to do this. He said that it needs to be fair and said that the department had to find a way to make changes to improve moral and be fair.

Councilmember Carver said that he does not believe what the overtime will cost is specific to shifts and he does not believe it can be managed that effectively. He said that if this has to be changed it should be done at the end of the fiscal year. He said that the lieutenants took it upon themselves when they promoted and so did the battalion chiefs. He said that there have been different work schedules and they have adjusted the pay and now the battalion chiefs want that plus overtime. He said that he cannot fiscally see doing that.

Mayor Anderson said that there have been strong comments representing both sides and he did not want to send this back for another study. He said that it is the Council's responsibility to make a decision and asked for a motion.

Vice Mayor Young made a MOTION to APPROVE Ordinance 1805. Councilmember Yocum SECONDED.

Councilmember Carver said that this was taking a certain group out of a certain pay range without addressing others in that range. He said that the fire personnel does a great job, as does law enforcement, and fire personnel are in the public eye more. He said that the police lieutenants work more than 40 hours per week and noted that they were not compensated for working during recent prison riots or transportation of things to other sites. He said that the lieutenants should be looked at as they can make the argument that they are not compensated for the hours that they work. He said that he thought Mr. Cooper needed to review this and make sure the classification works within the exclusion. He said that he knows the battalion chiefs have done a great job but he does not think they should be moving one group out of a classification without looking at the others.

Councilmember Miles agreed with Councilmember Carver and said that looking at the job description for the police lieutenants they should be exempt. She said that the Council has to look beyond this and find what is equitable.

Councilmember Dean asked if the police lieutenants receive compensatory time which he was told that they do not.

Councilmember Carver said that they are able to take off holidays.

Mr. Dougherty asked for clarification of the motion as Ordinance No. 1805 was for the next item and there was not an ordinance for this item.

City Clerk Sydney Muhle stated that this was correct and it was noted that there was an issue with the agenda program.

Mayor Anderson said that the previous MOTION would be DISREGARDED.

Vice Mayor Young made a MOTION to APPROVE the reclassification of the three operational battalion chiefs. Councilmember Yocum SECONDED.

Mayor Anderson asked that Mr. Cooper provide the definition for exempt employees.

Councilmember Carver read the exemption requirements.

Mr. Cooper said that it is easier to keep a person hourly than to make them exempt. He

said that Ms. Walker may have the specifics. He said that if the City wanted to make employees hourly that is okay and the difficulty is to keep them exempt.

Ms. Walker said that this was true and the City can always go above the law and give compensatory time or pay employees hourly. She said that the City is not required to make the position exempt which Mr. Cooper agreed with.

Councilmember Abram said that if a change is made then the salary grade and band should be changed as well. He said that otherwise this will allow these employees a two-percent raise due to overtime.

Chief Rhoades said that they would be compensated for the time that they work. He said that this will remove the holidays. He said that if he took a snap shot of the past three years in which there were 33 holidays the operational battalion chiefs took off five holidays and had to take vacation time for this while other exempt employees do not. He said that these are the only exempt employees that are scheduled to work holidays. He said that anything these employees work over 212 hours per month will be considered overtime. He said that these employees work 240 hours. He said that all shift employees work this schedule.

Councilmember Carver discussed splits in the fire department's shift schedule cycle which rotates the number of hours worked by shift employees.

Chief Rhoades said that this does adjust each month with all shift personnel. He said that the department's calculations show average hours worked will remain within the budget.

Councilmember Dean asked for clarification that the three battalion chiefs do not receive holiday pay.

Chief Rhoades said that they are exempt employees so they do not receive holiday pay and they cannot take their holidays off.

Vice Mayor Young said that this was comparing apples to oranges. She said that she believed the police department, City Manager and human resources should be coming to some sort of resolution on their issues.

Mr. Dougherty said that he has not received specifics from the police department. He said that he has no problem looking at this but he has not received anything for review.

Vice Mayor Young said that they should be meeting with Mr. Dougherty on their issues.

Mayor Anderson asked for an update on the police department at the second Regular Meeting in January. He then asked for a ROLL CALL vote.

The MOTION was APPROVED by a vote of 4-3 with Councilmembers Abram, Carver, and Miles voting NAY.

Mayor Anderson called for a break at 7:38 P.M.

Council returned at 7:51 P.M.

**c. Public Hearing and consideration of proposed Ordinance 1805: amending permit fees in relation to Manufactured Housing & Factory Built Buildings**

Since entering into an intergovernmental agreement (IGA) with the State of Arizona Office of Manufactured Housing [OMH], OMH has adjusted their fee schedule for FY 2016. Approval of Ordinance 1805 will adjust current City fees to match the OMH Fee Schedule update for 2016, which is required by the IGA. This item was previously approved by Council after being sent to the agenda prematurely. Like all other fee increases, this item has been posted on the City of Kingman website for 60 days and must be ratified now that the statutory timeline has been met. **Staff recommends approving Ordinance 1805.**

Development Services Director Gary Jeppson addressed the Council and said that this was a public hearing on a fee changed. He said that an agreement says the City must have the same charges that the state does. He said that this was passed previously but the notice was not posted online for 60 days so it is now being brought back. He said that there was no public comment before and there will hopefully be none now.

Mayor Anderson opened the public hearing at 7:53 P.M.

No one from the public came forward to speak.

Mayor Anderson closed the public hearing at 7:53 P.M.

Councilmember Yocum made a MOTION to APPROVE Ordinance No. 1805.  
Councilmember Abram SECONDED and it was APPROVED by a vote of 7-0.

**d. Resolution 4984: allowing an exception to Section 1-12 of the Streets and Sidewalks Regulations**

Staff has received a request for an exception to Section 1-12 of the Streets and Sidewalks Rules and Regulations for 3150 and 3152 Stockton Hill Road (Parcels 320-13-007 & 320-13-044). Section 1-12 of the Streets and Sidewalks Development Rules and Regulations allows one commercial driveway for properties with frontage of less than 300 feet. When combined, the subject properties will have approximately 200 feet of frontage. Rex Ruge has submitted a site plan requesting two driveways for the subject properties. The site plan was reviewed at the November 19, 2015 Traffic Safety Committee and the committee generally agrees with the exception allowing two driveways for the subject properties. Councilmember Yocum has requested that this item be revisited. **Staff recommends approval.**

City Engineer Greg Henry addressed the Council and said that this item was discussed two weeks prior. He said that this request is to install a driveway on Stockton Hill Road which can be contentious. He said that the site in question is two separate properties at 3150 and 3152 Stockton Hill Road. He said that the existing driveway is located at Paco's Tacos and the second location is vacant which is what the request is for. He said that the current code allows one driveway per 300 feet and this is 200 feet. He said that the owner has said this location will be a restaurant and this does not create the 200 vehicles per hour that would create the need for a traffic safety study that would require a deceleration lane. He said that the parcel to the east can be accessed through the

subject property and the owner could close the current access. He said that the plaza has insufficient parking and the owner would not be willing to give up parking spaces. He said that eventually Stockton Hill Road will be expanded to three lanes and the City would need to acquire property from the owner. He said that he feels there is a public benefit and the Councilmember Yocum requested that this item be brought back.

Mayor Anderson said that access to the plaza would have to come from Detroit Avenue. He said that people can come out on the north end of the property to access Stockton Hill Road. He said that if the property owner denied this access people would have to go back to Detroit Avenue or use the front access on to Stockton Hill Road. He said that this would cause a bigger traffic jam in the parking lot.

Mr. Henry said that staff sees the need for cross access for public benefit.

Mayor Anderson said that Detroit Avenue could not handle this amount of traffic.

Vice Mayor Young said that this would be a safety issue because of school kids in the area.

Councilmember Yocum said that the applicant is proposing remodeling the existing building which would sit idle. He said that this request would provide access to the vacant lot and traffic to flow through for a drive through with the existing driveway functioning as an exit.

Mr. Henry said that this was correct and both would be right turn lanes because of the median on Stockton Hill Road.

Mayor Anderson asked if the owner has requested a building permit and if there was any idea what type of building this would be for.

Mr. Henry said that the owner has not applied for a permit.

Councilmember Yocum asked for clarification that this improvement was deemed to have no impact on the traffic on Stockton Hill Road.

Mr. Henry said that this was correct if the south driveway only allows traffic in and the north driveway allows traffic out.

Mayor Anderson asked for clarification that if this individual had not purchased both properties there would still be two separate driveways.

Mr. Henry said that this was correct and he did not think that the City could reasonably deny the driveway because of this. He said that the idea is to combine the properties and the two properties together do not meet the threshold.

Mayor Anderson said that the increase in traffic would almost cause the owner to have to close off access to the rest of the shopping center

Mr. Henry said that the City would discourage this but cannot legally stop it.

Mr. Dougherty said that he spoke with the developer of the property and he is aware that if he leaves this as two separate properties then the City would have to grant the



driveway. He said that the owner does not want to do this. He said that the property owner also spoke to the owners of the strip mall and they do not want the traffic. He said that the developer did work with staff on this.

Councilmember Yocum made a MOTION to APPROVE Resolution No. 4984.  
Councilmember Dean SECONDED and it was APPROVED by a vote of 7-0.

**e. Discussion and possible action on the splash pad water management system type, park location and the City's level of involvement**

Staff is requesting Council decision on the type of splash pad water management system, the park location for the splash pad, and the City's level of involvement in the process. Staff recommends a repurpose to irrigation water management system installed at South Side Park or Cecil Davis. If a recirculation water management system is the Council's decision, Staff recommends installing it at Centennial Park. If repurpose to irrigation water management system is the Council's decision and additional funds are required, Staff recommends the City contribute to the project.

Parks and Recreation Director Michael Meersman addressed the Council and thanked the Venture Club for what they have done. He said that what they have done is amazing as is the level of interest. He said that their goals are more in line than their differences. He said that whatever the Council's decision was staff would do the best to keep this as safe as possible. He then gave a PowerPoint presentation.

Slide 1 - Mr. Meersman gave a synopsis of this slide and said that he was in favor of a re-purposing system.

Slide 2 - Mr. Meersman gave a synopsis of this slide.

Slide 3 - Mr. Meersman gave a synopsis of this slide.

Slide 4 - Mr. Meersman gave a synopsis of this slide.

Slide 5 - Mr. Meersman gave a synopsis of this slide.

Slide 6 - Mr. Meersman gave a synopsis of this slide.

Slide 7 - Mr. Meersman gave a synopsis of this slide and said that it is worthwhile for the City to contribute.

Slide 8 - Mr. Meersman gave a synopsis of this slide and said that the irrigation pump would cost a little.

Slide 9 - Mr. Meersman gave a synopsis of this slide.

Slide 10 - Mr. Meersman gave a synopsis of this slide and explained how the re-circulation system works.

Slide 11 - Mr. Meersman gave a synopsis of this slide.

Slide 12 - Mr. Meersman said that the UV bulb is the cost difference.

Slide 13 - Mr. Meersman said that the Bullhead City splash pad is a recirculating system and showed a photo.

Slide 14 - Mr. Meersman gave a synopsis of this slide.

Slide 15 - Mr. Meersman gave a synopsis of this slide.

Slide 16 - Mr. Meersman gave a synopsis of this slide.

Slide 17 - Mr. Meersman gave a synopsis of this slide and said that this showed how the re-purposing system worked.

Slide 18 - Mr. Meersman gave a synopsis of this slide and said that the rangers are there regularly.

Slide 19 - This slide showed a photo of a holding pond.

Slide 20 - This slide showed a proposed site map of Southside Park.

Slide 21 - This slide showed a photo of another potential site at Southside Park.

Slide 22 - This slide showed a holding pond.

Slide 23 - This slide showed additional turf.

Slide 24 - This slide showed a potential site map of Cecil Davis Park.

Slide 25 - Mr. Meersman gave a synopsis of this slide and said that certified pool operators are not needed as much with a re-purpose system.

Slide 26 - Mr. Meersman gave a synopsis of this slide and explained the holding tank. He said that these are tested for eight years on the splash pad.

Slide 27 - This slide showed re-purposing samples.

Slide 28 - This slide showed re-purposing samples.

Slide 29 - Mr. Meersman gave a synopsis of this slide.

Slide 30 - Mr. Meersman gave a synopsis of this slide.

Slide 31 - This slide showed a photo of the proposed area.

Slide 32 - This slide showed a photo of the proposed area. Mr. Meersman said that the Venture Club would like this to be visible and this would be right along the pool. He said that this would be a good location for the department and could generate more revenue with the snack bar.

Slide 33 - This slide showed an additional site at Centennial Park.

Slide 34 - This slide showed an additional site at the Grandview Pool. Mr. Meersman

said that they would take out the wading pool and have a long, narrow splash pad by the pool. He said that being by the pools would allow staff to check it easily and this is more important with the splash pad than the pool due to the capacity.

Slide 35 - Mr. Meersman gave a synopsis of this slide.

Slide 36 - This slide was the conclusion of the presentation.

Councilmember Yocum asked if it was possible to save more money in the initial building to use equipment the City already has if this were to be a recirculating system or if it would be necessary to have its own site.

Mr. Meersman said that it would have to have its own.

Councilmember Abram said that he was in favor of a re-purposing system. He asked what would happen if the splash pad used more water than was needed for irrigation.

Mr. Meersman said that it could possibly be used for the community garden but would need to be tested and then it would go to the drain. He said that if this was reclaimed water then he would be in favor of having it go to the drain. He said that a lot of cities use their reclaimed water and he hopes the City will get there some day.

Councilmember Abram said that it was important not to reduce the fun factor and drop the gallons per minute (GPM). He asked if it was possible to put fish in the retention pond.

Mr. Meersman said that this may be possible in the future.

Councilmember Abram said that the funds were solicited to put the splash pad at Cecil Davis Park and they would need to go back to those donors and get their permission to put in anywhere else.

Vice Mayor Young asked which gives the most fun with the most water.

Mr. Meersman said that Southside could do either and would be good for matching the numbers on the splash pad with the irrigation.

Mayor Anderson noted the cost to the City of \$150,000 and he wanted people to know that source would be from impact fees that are sitting in a city account and cannot be used for anything other than park development.

Venture Club President Lisa Bruno addressed the Council and said that they spoke with the community garden who only uses about 15,000 gallons of water per month.

Storm Hargrave addressed the Council and said that when comparing the use for irrigation they looked at feature selection, nozzle size and time management. She said that this would be more like a sprinkle pad for a re-purpose system. She said that with this you find turf to water and the splash pad is a byproduct. She said that they did not know that until they got into this.

Ms. Bruno said that they have a different opinion and thanked Mr. Meersman and the Council members for their time. She said that both are good systems but for the time

frame, budget and location the recirculating system is best. She said that they are trying to meet half way with the Parks Department. She said that after receiving bids they can go into Cecil Davis Park within their budget and time frame. She said that they decided it was best to have a clean slate and come in with actual figures and costs. She said that they want a big splash pad and didn't know re-purposing systems had negatives. She said that this is based on what they have learned and they received bids for both. She then gave a PowerPoint presentation.

Slide 1 - This was an introductory slide.

Slide 2 - Ms. Bruno said that the actual design came from a contractor and is what they want it to look like. She said that every company has the same features.

Slide 3 - This slide showed an additional artist rendering.

Slide 4 - Ms. Bruno gave a synopsis of this slide and said that two of the four contractors would not bid a re-purposing system. She said that this system is not done as much and there is the reality of the potential water use. She said that they factored bed rock in and said that this will require them to maintain the building and sidewalks. She said that they have done their due diligence.

Slide 5 - Ms. Bruno gave a synopsis of this slide and said that there were inaccurate numbers in the spreadsheet Mr. Meersman provided to the Council. She said that this is inconsistent with what they are hearing. She said that the first company utilized above ground tanks. She said that Vortex was an anomaly. She said that both were out of budget and you are buying an irrigation system and attaching a splash pad.

Slide 6 - Ms. Bruno gave a synopsis of this slide.

Slide 7 - Ms. Bruno gave a synopsis of this slide and said that Cecil Davis Park was good two years ago. She said that Southside Park was not favored and provided reasons. She said that this is expanding what they came to do and is more than what they want. She said that they want this to be within budget and be good for the City. She said that the water use will exceed the need. She said that they don't think this is great for the cost of the recirculating system.

Slide 8 - Ms. Bruno gave a synopsis of this slide and said that they want this to be more visible and safe. She said that putting this at Centennial Park the water would be saved for the lake at the library. She asked why go ahead of the game and pay for a recirculating system and allow someone to bear the burden.

Slide 9 - Ms. Bruno gave a synopsis of this slide and said that this will take educating people and children. She said that they only ever talked about the recirculating system and this has always been in their bid. She said that Centennial Pool does not have UV filtration and this allows better safety. She said that what they are asking for is bigger and more state of the art for holding and treating the water. She said that the contractor will also provide training to staff. She said that they are trying to do as much as they can to make this a success.

Slide 10 - Ms. Bruno said that the timeline would change for Southside Park.

Councilmember Carver said that they asked the Venture Club to get new bids and this is

more than what they started with because of the state of the art features to reduce the amount of time needed by the Parks Department. He said that the Venture Club has done everything they were asked to do. He said that this started at Cecil Davis Park and they have been slighted that this is being looked at now. He said that this should have been looked at all along and his personal feeling is he doesn't want this to be experimental. He said that the City knows how to do pools. He said that if they can't come up with a holding tank then they have to limit the features and the amount of time they can run. He said that the re-purposing system is not a fix all. He said that the Venture Club put this out initially and to do this now is up to the City to do it or not. He said that nothing has changed his mind so far and recirculating is the direction to go. He said maybe down the line they could put in a re-purposing system.

Ms. Bruno said that maintenance is costing less than \$5,000 to \$10,000 in each city and this could be the City's contribution with staffing.

Councilmember Carver said that Dr. Tori Sandoval gave a presentation on a lawsuit and the cost to settle it. He said that the regulations have come a long way.

Vice Mayor Young agreed and said that the Venture Club did everything they asked for. She commended the Venture Club for their hard work and said that their recommendation should be considered highly.

Councilmember Miles commended the Venture Club and said that this is a phenomenal feat. She said that the Council has to look at the potential use and the impact on parking as this park is surrounded by residential housing. She asked if the club had had any communication with the neighbors or if there was adequate parking.

Ms. Bruno said that they have not talked to them but the City agreed to move the recycling bins at the park to open more parking.

Councilmember Miles said that they had the budget for the recirculating system and asked if the public health would be satisfactory.

Ms. Bruno said that the same parking concern exists at Centennial Park and the issue has been addressed elsewhere. She said that parking could always be an issue.

Councilmember Miles noted that Centennial Park is not in a residential area. She asked what the security impact would be on the City for the chemicals and the park ranger.

Mr. Meersman said that Cecil Davis was for a re-purposing system. He said that the recirculating system can be more challenging. He said that Bullhead City has had problems with trash clogging their lines. He said that if this happens on a weekend they will have to call someone out. He said that at Centennial Park the park rangers could keep this from happening. He said that there are other issues like bikes and skateboards as well and whatever the Council decides staff will do.

Mayor Anderson said that they talked about Cecil Davis Park and the concern with the park rangers. He asked what the major concern was now.

Mr. Meersman said that the re-purposing system sprays clean water and there are issues with the recirculating system if there is a clog. He said that this is the reason to have a ranger there as they would keep people doing what they should do.

Mayor Anderson said he wanted to reiterate what Councilmember Carver said. He said that the fastest growing area is the Southeast portion of town. He said that Southside Park would be great for revitalization but would take time. He said that the East side does not have much while Centennial Park has an awful lot. He said that this is the reason Cecil Davis Park was looked at and why it is still being looked at. He said that the City owes the people in that area something for a community project.

Councilmember Yocum said that based on what he has heard they should stick with Cecil Davis Park. He said that Centennial Park has enough to offer and Cecil Davis Park could use the feature. He said that he would prefer the re-purpose system as the City already uses the water to irrigate. He said that he would rather not see the Parks staff have a maintenance issue. He commended the Venture Club for their efforts and said that they originally looked at the re-purposing system and should try to stay that course.

Councilmember Carver said that he did not recall the recirculating system being discussed.

Ms. Hargrove said that she would hate to see the City spend money because they think its less money to maintain it.

Councilmember Dean thanked the Venture Club for doing their homework and bringing this to the Council. He said that he thinks this is a great idea and he didn't want to rush into this but understands they want to get this out for the kids. He said that he sat at all three parks and Cecil Davis was the busiest. He said that there are houses by that park. He said that this feature could bring a lot of kids and he was concerned about the parking by the houses. He said that they may be anticipating this and wondered if this would be a concern. He asked if it was possible to have some sort of fence.

Ms. Hargrove said that the vision was not to fence this off and most are not. She said that this is a residential area and there is parking. She said that she walked around that park almost every day and three sides have open street parking. She said that she has been there when four soccer teams were practicing and then parking was full but people were not parking in front of homes. She said that there will be people there no matter what.

Councilmember Dean asked if it was possible to have a volunteer ranger to patrol the park.

Ms. Bruno said that those issues will happen no matter where the splash pad is. She said that at Centennial Park it would not be as visible for safety. She said that the club would help organize this and they want it to be where in can be seen and not vandalized. She said that they want to protect the asset as well.

Vice Mayor Young said that they have to consider children and traffic and residents in that area are used to children.

Ms. Bruno said that there is a Head Start, day care and church nearby and this is a great location.

Jim Winso signed up to speak but left prior to this item.

Mr. Dunton addressed the Council and commended Venture Club for their efforts. He said that he keeps asking and doesn't understand why Lewis Kingman Park has not been mentioned. He said that pumping water should be cheaper and the City could have the splash pad on Route 66 with a lake and allow clean water to splash the kids. He said that this would be easier and cheaper. He said that this would keep it on Route 66 where people can see it. He said that he would want to pay to recirculate and clean the water. He said that the City could make money by having the kids fish. He said that this will never break even.

Councilmember Carver made a MOTION to MOVE FORWARD with the splash pad at Cecil Davis Park with a recirculating system. Vice Mayor Young SECONDED.

Councilmember Dean said that they have to look at the cost to maintain and there will be a bigger cost.

Councilmember Yocum said that long term the cost is lower with a re-purposing system and he was in support of the repurposing system.

Vice Mayor Young asked what the cost of ownership was.

Ms. Bruno said that it was between \$5,000 to \$10,000 and \$4,000 to \$6,000 with the recirculating system with the same size splash pad they have proposed.

Mayor Anderson said that in an area with nothing there there will be start up costs and the City has invested in those areas. He said that if they are investing in the community there will be a cost and they have done that elsewhere.

Ms. Bruno said that this will be half of a million dollars in savings.

Mr. Meersman said that the numbers they are quoting for maintenance will be higher because this is not where the employees are. He said that there will be different numbers for each location.

Mayor Anderson asked for a roll call vote.

The MOTION was APPROVED by a vote of 6-1 with Councilmember Yocum voting NAY.

**f. Fiscal Year (FY) 2015 financial audit update**

Staff will provide Council with an update as to the status of the City's FY 2015 financial audit. At the last Council meeting, staff informed Council that the previous audit firm's services had been disengaged and a request for proposal (RFP) to hire a new audit firm was being drafted.

Finance Director Tina Moline addressed the Council and said that she provided an update of the financial audit at the last meeting. She said that the City has disengaged with the existing auditors and a Request for Proposal was posted on December 14th which will close on January 8th. She said that they will be reviewed and evaluated and a selection will be sent to the Council at their January 19th meeting. She said that this means that the City will not meet the March 31st audit deadline. She said that the audit

will be completed in May or June and the City will not be able to apply for a certificate of achievement and excellence.

Mr. Dougherty said that since an employee has allegedly embezzled the department has taken corrective action. He said that Ms. Moline has implemented additional security and now has three people to approve transactions and all have access to the accounts now where they did not before. He said that they will all review transactions and will all work on the budget because they do not have a budget director. He said that they have all willingly stepped up and Ms. Moline has really taken on a lot. He said that Ms. Moline has also received two manuals for public and private internal and external controls. He said that everyone thought everything was in there and this was the result of over trust of one person. He said that he and Ms. Moline have talked and everyone will do reconciliations and be cross trained on each other jobs so this will not allow this to happen again.

Ms. Moline said that she wanted to clarify that they did have internal controls but they were not always followed upon review.

Mayor Anderson said that there is a legal process on this and the case is being built by the state who will prosecute this. He asked if they were going to work on the return of assets or if this was separate.

Mr. Cooper said that some asset forfeiture has already taken place and other methods are being reviewed. He said that upon conviction the City would be a victim in the case and can get restitution through liens on real property.

Mayor Anderson said that the insurance company was going after the auditors due to an internal control violation.

Ms. Moline said that this was correct and this was only for this certain item. She said that their review was adequate for what they tested through their sampling.

Councilmember Dean said that this gets them out of being held accountable for the job the City paid them to do which Ms. Moline said was correct.

Harley Pettit addressed the Council and said he doesn't think the City has to rely on insurance for \$500,000. He said that he agreed the City should get their money back from the auditors plus damages. He said that he imagines that is what they are going to pursue. He said that the City should get back their investment in the auditor and get actual damages and punitive damages. He said that the City should get their money back and he would like to see this as a citizen.

Mayor Anderson said that he was thankful that the staff in Finance and the City Manager once the warrant was released and had an original figure they believed that needed to be looked at for additional money and jumped right on it. He said that they could have tried to sweep this under the rug but that is not the direction they took and he appreciates that. He said that he has also heard that the City needs to hire for that position right away. He said that he thinks there was a stroke of brilliance from the Finance Director to change things and now they will have three or four people who will have knowledge of transactions and thanked her.

**g. Property tax initiative**



Discussion, direction and possible action concerning the proposed property tax being placed on the ballot in May, 2016. Several councilmembers have voiced concerns about asking voters to approve a property tax due to a recent embezzlement investigation involving a former City employee. **Staff is neutral, though Staff is still in favor of a property tax to add stability to the City's revenue.**

Mayor Anderson said that he requested this item and has heard indirectly from others about what Council members have said. He said that this is a tough time to try to decide to do what is correct. He said that there is a lot of anger and hostility and people are here and that they have talked to have a greater understanding. He said that they still have an issue of looking at resources and being able to do police, fire, roads, inspections, and engineering. He said that he took some figures from several years' budgets and annual reports. He said that he wanted to give people an understanding of the magnitude of the problem that the City is facing then discussed the sales tax revenue and buying power from 2006. He said that since then the City has cut the work force despite the growing population and additions through annexation. He said that the downward trend in retail means less people are buying in the area and friends and neighbors who own businesses went out of business. He said that online shopping has also hurt. He said that this continues to have an impact on growth and the City's ability to do growth. He said to look at what Kingman does and the City has full services. He said that Bullhead City has a fire district with a separate property tax. He said that there is not a City of Kingman property tax and the closest item is for the Kingman Unified School District. He said that the City gets nothing from the property tax. He said that Lake Havasu City has an irrigation tax and a property tax. He said that neither of those cities run their water departments. He said that citizens need to look at what they get with what is being paid and what is being threatened by the City's inability to stabilize the revenue stream. He said that the City has the option for a food tax which he personally does not believe in as he hates charging for clothing. He said that 51 cities in Arizona have a sales tax equal or greater than Kingman. He said that during the good times until 2008 people built a lot of homes and roads that the City is now maintaining. He said that proposing the property tax was not an increase in revenue but would offset the amount to sunset. He said they are continuing to lose retail to online shopping and they are hoping that a couple of things they are working on will bring merchants though the City cannot dictate where they go. He said that this is one of the reasons they are looking at the property tax. He said that the latest incident was created by one person and the people who are the most upset are the people who worked with her. He said that good people's reputations have been hurt. He said that in fairness to the people who have called and who have looked at the property tax that is why this is on the agenda now. He said that there were a couple of people who wanted to speak. He said that if there is still a majority of the Council who want to pursue this then they will take the time and effort in selling it.

Doug Dickmeyer addressed the Council and said that he believes the majority of Kingman residents are not in favor of the property tax. He said that he believes that it will not pass and believes that the majority believes that it will not pass. He said that the City says they don't have enough money but want to spend \$60,000 on the cost of an election. He said that they will then have to make a temporary tax permanent. He said that he believes that residents are used to paying and would accept an increase. He said that making the sales tax permanent would ensure this is distributed equally to all. He asked the Council to table this to eliminate the special vote. He said that the Mayor talked about revenue not coming in but the median household income has fallen and is

impacting residents more than larger cities. He said that this cannot go too easy.

Councilmember Carver asked City Clerk Sydney Muhle to provide the correct cost for the election.

Ms. Muhle said that this was approximately \$30,000 to \$40,000.

Mayor Anderson said that Mr. Dickmeyer has suggested raising the sales tax and explained his concerns with doing this. He said that 55 to 60-percent of the sales tax comes from people who do not live here. He said that there is nothing in the provisions that limit what can be collected. He asked what the impact is to businesses here for people here to receive an increase.

Mr. Dickmeyer said adding to the sales tax a little bit would increase revenue a lot to be able to run the City. He said that the Council is putting a lot of the responsibility on people that cannot afford it in retired and hard working families by putting a tax on their property while they are struggling to make ends meet. He said that the majority of City employees are driving around in much newer vehicles than a lot of residents are. He said that he knows the City needs money to run on but he doesn't believe putting it on the backs of the citizens is the way to go at this point. He said that he believes the City should increase the sales tax so it is evenly distributed and then look for other revenue resources by bringing in new businesses. He said that it is not the residents' responsibility to run the City it is the Council's.

Mayor Anderson said that his concern is that this is another band aid and until the state legislator does something about online purchasing to pay five-percent and cities and towns don't do anything. He said that this needs to be made whole.

Mr. Dickmeyer said that other states have required this.

Vice Mayor Young said that she does not like to increase taxes. She said that residents are going out of town to buy large price items and the sales tax is going down each year despite the increase. She said that by increasing the sales tax that puts the burden on businesses to stay in business. She asked if Mr. Dickmeyer would prefer a property tax or a food tax.

Mr. Dickmeyer said that it is not the residents' job to stop the bleeding. He said that this is an election year and candidates are talking about reducing the tax on citizens while the City is talking about increasing it.

Vice Mayor Young asked how to get more diverse businesses with a high sales tax.

Mr. Dickmeyer said that it is not that high compared to other areas and people move here because there is no property tax. He said that sales tax exemptions can be made.

Mayor Anderson said that that law has changed and there are a lot of out of town property owners. He said that two-thirds of Kingman is undeveloped.

Mr. Dickmeyer asked if this is the responsibility of the citizens of Kingman.

Councilmember Carver asked why it isn't the responsibility of homeowners and why we need police and fire and paved roads if there isn't home ownership. He said that

residents do not pay anything that tourists coming into town do not pay.

Councilmember Yocum said that asking citizens to pay for services that they already use is not penalizing them.

Mr. Dickmeyer said that they pay sales tax here.

Mayor Anderson said that citizens pay a water bill for what they use and pay sales tax for what they want to buy.

Mr. Dickmeyer said that the City is getting taxes.

Councilmember Carver asked who has a problem if the City fails to exist and said that he hears that no one likes taxes. He said that the issue is the end user as the citizens of Kingman. He said that citizens do not pay to be a resident of Kingman and there is no ownership. He said that there will be a revenue problem. He said that they can do more with more ownership and the increase of home values.

Mr. Dickmeyer said that the City does not generate revenue they spend money. He asked what is coming to the City to bring revenue.

Councilmember Carver said that they need more sources to provide more services.

Mr. Dickmeyer said that they will always get more from citizens.

Councilmember Carver said the citizens of Kingman have not paid a property tax for almost 30 years. He said that the City has to provide services to citizens that they expect. He the Kingman Area Regional Transit (KART) program was instituted they wanted to know how the City would pay for this when the grant funding went away and said that this is the same thing with Highway User Revenue Funds.

Mr. Dickmeyer asked where the City is going to get more money when the homeowners and citizens run out.

Vice Mayor Young said that the biggest benefit to homeowners is police and fire protection. She said that the city cannot pay for this without a stable revenue stream.

Mr. Dickmeyer said that the City cannot come to the well of the citizens every time they need money.

Vice Mayor Young said that the biggest benefit is police and fire and the City does not have enough revenue to protect it. She said that the City does not take in enough money.

Councilmember Miles said that she does not see this as the forum for this discussion.

Mayor Anderson said that when they change from a sales tax to the property tax then they will reduce the sales tax to offset it. He said that if a person owns their home and they pay a property tax they probably itemize it which saves their federal tax dollars. He said that the more affluent the more of a right off you get. He said that this will be harder for a smaller home owner. He said that with a sales tax people spend less. He said that on a \$100,00 home value deemed by the county this is \$208.

Ms. Moline said that this was at the \$3 million levy.

Mr. Dickmeyer said that social security is fixed. He said that he pays \$1,500 per year in county tax. He said that the City will never get rid of the sales tax and if the property tax is implemented then both will go up. He said that people surviving on social security cannot make ends meet.

Councilmember Carver said that the City has not gone to the well for 30 years and there is a property tax credit available.

Vice Mayor Young said that if we have to cut back on public service, which is where the city is right now, that means the fire rating goes down and citizens' home insurance goes up.

Councilmember Miles said that if the City is getting to the point where they have to reduce public safety then the Council better go for more than just the break even. She said that unless they plan to replace this then they need more homework. She said that they are minimizing the impact of the trust lost in the City by the embezzlement. She said that she understands the work that has been done but there is more than a months worth of work in figuring out where all of these defects happened. She said that until the City has that the public will be asking for more answers. She said that they are still in the preliminary stage of this discussion and it seems like the community response is immediate and certain that this is not the time due to the trust factor. She said that she thought it was important to bring this up as this is an issue. She said that she thinks the Council needs to sell something positive and has to do better than to just keep on keeping on. She said that they have to solve some things and this ties into increasing their funding stream. She said that they will have to ask for more and building trust is important and they need to focus on that.

Harley Pettit addressed the Council and said that this is controversial. He said that the City can have a tiered sales tax structure and threatening public safety is not the way to go about selling this. He said that the property tax is based on the \$210 figure and this multiplies for higher home values. He said that one person will be paying a higher rate for the same protection. He said that their investment is in their home and some citizens have over bought. He said that this is better than having money in the bank or in an investment. He said that the potential for the property tax could be higher than the normal rate. He said that this is a budget issue and there is no magic number. He said that taking the low hanging fruit is not the answer and the city has to encourage jobs and industry. He said that things like online shopping is more reason not to invest in a retail venture.

Councilmember Yocum asked what is higher if the citizens are the low hanging fruit.

Mr. Pettit said that this was industry, landing fees at the airport and skilled labor to bring up the city economy.

Mayor Anderson said that this is not something that can be done in a short time.

Marianne van Hasselt addressed the Council and said that she is not a property owner. She said that she would gladly pay for police and fire. She said that this issue came up where she lived previously. She said that they needed an educated future and voted for

it. She said that this only comes to a little bit and she believes people should pay for police and fire.

Williams Wales addressed the Council and said that the City knows they need money. He said that they have to look at the reality and the City needs to tell people what they are going to do with it. He said that the Council has to tell people this will go for police and fire and have to sell it. He said that the Council has to do this and it is not going to happen automatically. He said that this town does not vote of sales tax because they don't trust the Council. He said if they focus on the tax going to cover police and fire then it might have a chance.

Mayor Anderson said that this item was for discussion and possible action. He asked if the Council still wants to pursue this. He said that the Council approved their Code of Ethics a couple of months ago and if the Council makes the decision to pursue this then the entire Council will go forward and try to get it. He said that if the Council decides against this then it is a dead issue. He asked if the Council should continue with the effort and said that if so they will put their time and the staff's time into it. He said that if not then they will continue with the sales tax.

Councilmember Abram said that they could not continue with the sales tax unless it goes to a vote.

Councilmember Carver said that it could be increased at will.

Councilmember Abram said that he does not want to see a food tax. He said that the property tax brings a stable revenue base and the City needs a diverse revenue base. He said that the city does need industry and he is in agreement with the trust issue regardless of what happened. He said that the Council does have to sell this and he thinks it is necessary. He said that they want the true and correct story of why this is needed and to make sure this is the right time.

Councilmember Yocum said that taxes don't always go away but 30 years ago the Council chose to eliminate the property tax. He said that they created this conundrum and the City has been lucky enough to get by with this. He said that relying on a single source is not financially wise. He said that they need more than just one source and regrettably the property tax was not in place for the last 30 years. He said that if so they would probably be in better shape with the budget for the necessary improvements and development. He said that they need a more diverse revenue stream and can't rely on one.

Mayor Anderson asked for a poll on pursuing this measure.

Councilmember Dean asked if this was for pursuing a game plan.

Mayor Anderson said that the Council would have to organize and would need a special meeting to do so.

Councilmember Miles said that the Council has to give a levy amount in January and that gives them a couple of weeks to get that game plan together.

Mayor Anderson said that this was for the game plan and the levy and the vote is later.

Ms. Moline said that the levy must be established January 19th.

Ms. Muhle said that the levy would be established January 19th and the Council would pass the resolution to call the election in February. She said that once the election is called then staff will proceed with the election and publicity pamphlet procedures.

Councilmember Miles said that the Council would have to base the amount of the levy on what they would do with the money. She said that they will have to decide if they are just going to replace what they have or if they are going to go for more and what they are going to use this for.

Ms. Muhle said that this was correct and reminded the Council that the levy amount would be the limit that the City could receive every year. She said that if the Council chooses to pursue a \$3 million property tax they can not go back out later and ask for a \$6 million property tax.

Mayor Anderson asked if the Council was going to pursue this or if they were going to drop it and asked Ms. Muhle take a poll of the Council by roll call.

The Council VOTED to PROCEED with the property tax election by a vote of 6-1 with Councilmember Miles voting NAY.

## **7. NEW BUSINESS**

### **a. Presentation of GIS needs assessment**

The City has hired Sunrise Engineering to prepare a Geographic Information System (GIS) needs assessment. GIS is used by cities and other entities as a means to store, manage, and share data across departments and with the general public. It has been almost 10 years since the last GIS assessment was prepared for the City. Staff has asked Sunrise Engineering to discuss the assessment and answer any questions there may be on the report. This presentation is for informational purposes only.

Mr. Henry said that Sunrise Engineering had been contracted to conduct a needs assessment. He said that the City asked the consultant to come up and give a presentation on what this system can do. He said that this would put information from each department into one central location with the tools to query and manipulate the data for evaluation. He said that this would allow the department to pull information from the GIS system in just a few seconds. He said that the City would be able to take data from accident history and recommend improvements or look at election districts. He said that there is no limit on the data that can go into the system and it is a big investment. He said that the last needs assessment produced 9-1-1 increases and other departments can benefit from this as the data can be easily accessed. He said that a vice president from Sunrise Engineering was present but had to leave due to the late hour. He then introduced Jarom Hlebasko from Sunrise Engineering.

Mr. Hlebasko addressed the Council and provided an introduction to the concept of GIS. He said that the GIS system provides smart information to you and gave an example of searching pipes for line sizes, material, and type of water. He then showed several features of the GIS program and provided examples of how this could benefit the City. He said that there is smart information behind the selections to search for

assets and analyzing data. He said that the City could utilize this to search for fire hydrants that need to be replaced which allows staff to budget to replace them. He also showed examples of sewer lines and the ability to trace the flow up and down stream. He said that this system traces each asset and can be accessible anywhere on any device. He also showed mobile examples of the system. He said that this saves time and money and eliminates the need for expensive equipment. He said that for economic development this could be used to showcase properties. He said that this would also allow citizens to report problems on the City's website and this system makes it a lot easier to stay organized and address the community's needs. He said that this helps staff do their jobs more efficiently. He then showed a park locator online which showed the different amenities and directions to each. He said that this could also be used to show election polling locations and provide directions to those. He said that citizens would be able to search for City services and zoning districts would be interactive to provide information on applicable ordinances and regulations. He said that this would also provide tax parcel information which can be used for reports to the county assessor's office. He said that this could generate mailing information within specific zones for land use publications. He then thanked Mr. Henry and the Engineering Department staff. He said that the local government has been very open and he appreciated the opportunity to participate in this study. He said that this system would be a time saver to make things flow through departments more easily.

Councilmember Abram asked Mr. Hlebasko about the information available to the public on the website.

Mr. Hlebasko said that there are different levels of security and certain information can be for internal use.

Councilmember Abram clarified that the City would have the administrative rights to the program.

Councilmember Yocum asked about the security of the system.

Mr. Hlebasko said that the system is government approved and the federal government is using a lot of it.

Mr. Henry thanked Mr. Hlebasko for coming to give the Council this information. He said that there are many permanent records that would be ideal to store here while some other information may not be as valuable. He said that this system would be used more internally. He said that this item was only for this presentation and the City would look at where to go from here during the budget process.

**b. Public Hearing and consideration of Resolution 4985: Request for a Conditional Use Permit (CUP) to permit a public assembly - general use, specifically a church, at 112 N 4th Street (Case CUP15-001)**

A request for a CUP to allow a "Public Assembly – Indoor General" use at 112 North Fourth Street, Kingman, to operate church. This portion of the Central Commercial Building will have 234 seats. The property is zoned C-2 and is in Historic Commercial Overlay District. **The Planning & Zoning Commission and Staff recommend approval of the request based on the findings that the application conform to the standards for review, findings of fact, required findings of a CUP**

**and analysis with the condition that the applicant meet with the Building Department and resolve the building official's concerns about the mezzanine use and comply with all regulations set forth by the Fire Department.**

Mr. Jeppson gave a PowerPoint presentation.

Slide 1 - This was an introductory slide.

Slide 2 - Mr. Jeppson gave a synopsis of this slide.

Slide 3 - This slide showed a proposed floor plan of the building.

Slide 4 - This slide showed a site map and indoor site plan.

Slide 5 - This slide showed a closer view of the space.

Slide 6 - Mr. Jeppson gave a synopsis of this slide.

Slide 7 - Mr. Jeppson gave a synopsis of this slide.

Slide 8 - Mr. Jeppson gave a synopsis of this slide and said that use of the mezzanine has been addressed with the building official.

Slide 9 - This slide showed an aerial view of the property.

Slide 10 - Mr. Jeppson gave a synopsis of this slide.

Slide 11 - Mr. Jeppson gave a synopsis of this slide.

Slide 12 - Mr. Jeppson gave a synopsis of this slide.

Slide 13 - Mr. Jeppson gave a synopsis of this slide.

Slide 14 - Mr. Jeppson gave a synopsis of this slide.

Slide 15 - Mr. Jeppson gave a synopsis of this slide.

Slide 16 - Mr. Jeppson gave a synopsis of this slide.

Councilmember Carver asked if the determine factor for parking was based on on-site parking or on-street parking. He asked how on-street parking would be handled versus off-street parking.

Mr. Jeppson said that on-street parking is not exclusive.

Councilmember Carver asked what the requirements for parking were if people not attending church services were trying to find parking and parking became an issue.

Mr. Jeppson said that one of the conditions for the Conditional Use Permit (CUP) was to have 59 off-street parking spaces. He said that this condition should also be applied to other users.



Mr. Cooper said that the City has to treat everyone in this classification the same. He said that any other downtown CUP would have to comply with this.

Mayor Anderson opened the public hearing at 10:34 P.M.

Applicant Matt Lockin addressed the Council and said that he has been working with the church and Carol Ott. He then gave a PowerPoint presentation.

Slide 1 - This slide showed a map of the site with an aerial view.

Slide 2 - Mr. Lockin said that the church would not be using any portion of the retail side of the building.

Slide 3 - Mr. Lockin said that there would be 234 fixed seats on the first floor. He said that the second floor would be used for classroom space and there would be no balcony access.

Slide 4 - Mr. Lockin said that he heard several comments at the Planning and Zoning Commission meeting and the building would be used for typical functions of the church.

Mayor Anderson said that this showed there would be from 15 to 50 people in the building in the evenings and asked how many people would be present in the evenings.

Mr. Lockin said that this would not be every Monday through Friday and the church could provide more details. He said that these were just general numbers.

Slide 5 - This slide showed the general level of use by day and the hours of operation.

Mayor Anderson asked if there had been any consideration on Friday evenings to curtail bible study.

Slide 6 - Mr. Lockin said that the church had obtained permission to use more than double to required number of parking spaces. He said that the church wants to be good neighbors and they had reached out to surrounding property owners and secured enough parking above and beyond on-street parking. He said that Wells Fargo's parking lot is on a first come-first serve basis and there were no exclusive parking rights. He then highlighted the on-street and private parking and the amounts available.

Slide 7 - Mr. Lockin gave a synopsis of this slide regarding the findings of the commission.

Slide 8 - Mr. Lockin said that the church has met and addressed the parking issue.

Josh Ott addressed the Council and said that a lot of people don't understand allowing the church to rent the building. He said that they have looked quite a bit and done a lot to try to get businesses downtown to further the revitalization. He said that they believe this will further this by bringing people downtown on a day when no one is there. He said that they would love to put more people downtown to provide businesses with an opportunity. He said that he would like to see Kingman have a parking problem downtown.

Mayor Anderson noted that there are other tenants in the building and asked how this impacts them being able to stay in the building and parishioners doing business.

Mr. Ott said that they try to treat all of the tenants the same and prefer that they get along. He said that he believed they would be able to work together. He said that it is difficult to find a tenant that would not overwhelm the area.

Mayor Anderson asked if Mr. Ott sees this happening until the church looks for an actual building on their own site.

Mr. Ott said that this was all they could look at for now.

Brett Johnson addressed the Council and said that he is the local pastor of the church. He said that the church is grateful to be able to move into a permanent location and it is time for them to move on from Lee Williams High School. He said that the church does not know what specifically they will do as they have never had a permanent location. He said that they have to get a flow and hope to have small group bible studies and student ministries. He said that they are a three to four year old church and are not large though they are part of a larger church. He said that he has heard this will overwhelm downtown. He said that the church is still growing and he cannot see having that kind of influence. He said that the lease on the building is for five years and is not their final location. He said that this is the best permanent location they can find right now and want to be great neighbors for the the life and vitality they would bring to downtown.

Mayor Anderson said that he met with Mr. Johnson before the Planning and Zoning Commission meeting and he realized as time goes on they would work with the community and the community would work with them. He said that Friday night is important downtown and asked how the church would become a part of that and not lock horns knowing that events are planned at the same time. He said that he expected the church to meet with the merchants and to work together.

Councilmember Carver asked Mr. Johnson about the five year lease.

Mr. Johnson said that this was dependent upon getting the CUP.

Mayor Anderson asked if this was negotiable if the church found a place they wanted to build on in a couple of years.

Mr. Johnson said that he imagined something could be worked out but they wanted to fulfill their contractual obligation.

Councilmember Dean asked if any consideration had been given to a lease of less than five years.

Mr. Johnson said that the lease makes the most sense realistically as they are a younger church and would be going through a bigger process which takes about five years.

Rosalee Hunt addressed the Council and said that she is a resident of downtown. She said that she felt the Council needed to see what the general neighborhood said and worked up a basic form and petition for people to say whether they were for or against this. She said that she focused on this as a zoning issues. She said that churches in other locations are set back and there are issues with parking. She said that it is hard to

compare to the 1970's when there were more businesses. She said that she collected 60 signatures against this, 15 signatures for it, 18 signatures who were undecided, and 17 with no opinion. She said that this was two to one against this and the basic feeling was this is not the best location. She said that this will impact the neighborhood and the town. She said that she talked to a lot of people and there are a lot of strong feelings about this.

Councilmember Miles asked if these surveys were done in businesses.

Ms. Hunt said that this was of residents only and if a person had a business they did not do it. She said that they tried to do this as one signature per residence only. She said that the majority of other signatures were downtown and some were businesses.

Mr. Graves addressed the Council and said that this is not a church issue but a business decision. He said that this is not in line with the General Plan and the Planning and Zoning Commission said that it was not the right fit. He said that his family has been here for a long time. He said that this would affect 12 buildings and tenants are open 24/7. He said that taking away street parking leaves nothing. He said that they are only now getting businesses downtown thriving and this does not bring in tax dollars. He asked where the City's option was when this affects downtown. He said that the area will return to negative growth. He said that he contacted other cities and they asked why you would put a church in the middle of a commercial area. He said that the City has spent millions of dollars in the area and the negatives of this far outweigh the positives. He said that this needs to be tabled to find a better fit.

Councilmember Carver asked Mr. Graves if he feels the Otts are being irresponsible by leasing this property to a church.

Mr. Graves said that his understanding is that there are other locations that would fit better.

Councilmember Carver said that they own the building and have a viable renter. He said that this is why CUP's are available and to not approve the CUP the Council would need a legal reason. He said that this goes back to the landlord renting to the tenant.

Mr. Graves said that this is about running a business. He said that this was initially for Sunday and asked where there will be parking during the week. He asked if the church will be using the approved parking for the other days of the week when businesses need traffic to do business. He said that people are going to park as close as they possibly can and this could run into a problem.

Councilmember Miles said that she would like to explore Mr. Cooper's legal interpretation. She said that if she heard him correctly in order to issue the CUP the church would have to prove something.

Mr. Cooper said that as a general rule for CUP's the City has facts that they have to find. He said that this is where the federal statute comes into play in that the City cannot pose a substantial burden in meeting this.

Councilmember Miles asked about this not being in compliance with the General Plan.

Mr. Cooper said that a CUP is for an extra usage and certain restrictions may be

applied. He said that the City has not been enforcing the parking rules and regulations and the church has to be treated as any other category. He said that there has to be a compelling government interest. He said that parking is not a compelling interest.

Councilmember Miles noted that Community Development Block Grant (CDBG) funding had been invested into this building and there are costs associated with this decision as the City is saying that there will be no opportunity for this building to be commercial for five years.

Mr. Cooper said that according to case law this is not a compelling government interest.

Mr. Graves said that the grant funding said that the building could not be leased to a church within a five year period and this ties back to the owner of the property. He said that there are many examples where this went to court and it never happened. He said that this is an interesting situation and when the forefathers for planning and zoning planned the city they had a business district downtown and churches were around the perimeter. He said that downtown is a central focal point and is drawing people downtown. He said that if the City starts limiting growth that is not what they are after. He said that they have waited a long time for this and it would be a shame to give up on what the General Plan was trying to build on. He said that it would be great to have another type of building and there could be. He said that there are ways to explore that and there are always options. He said that this doesn't have to go in.

Mayor Anderson said that the General Plan is a guideline and is not restrictive or binding. He said that downtown came together to build downtown and the City cannot dictate private property use. He said that this is about property owners rights and how to make them merge together. He said that if there is a way if this goes through that they can work together to get more parishioners downtown to do business it would be nice if other places were open on Sunday. He said that there are challenges and opportunities to make this positive. He said that the building has not had tenants and this could have been due to poor property management. He said that there are a lot of businesses downtown like that. He said that he is glad there were 60 people in the room rather than the seven Council members guessing. He said that they are raising valid points and parking is an issue during the week. He wondered if there was a way to run bus service on Sunday and said that there were additional things that can continue to be explored to alleviate some of the problems and fears.

Mr. Graves said that during the week is the concern and the number of cars downtown is where there would be a problem.

Wade Simon addressed the Council and said that Central has been amazing to his family. He said that it is full of so many wonderful, positive people and they want to love on downtown. He said that the City is going to see the economy boom with the its presence. He said that every time they come downtown they pay tax dollars. He said they can't wait to get involved and want to do it with love.

Mayor Anderson said that he heard comments that while the church was at the high school people went to church and took off. He said that they had to make a special trip and this would be more of an opportunity to be downtown.

Mr. Simon said that he and his wife have breakfast downtown almost every Sunday morning and this would become more consistent and more regular. He said that they

can't wait to get more restaurants because they are down there.

Tom Meadows addressed the Council and said that he has lived here since 1969 with the exception of his time in the Air Force. He said that there is a lot going on downtown and Central Christian is a baby church. He said that it was started in a guy's garage then moved to the Seventh Day Adventist before going to Lee Williams High School. He said that the church is crowded and the schools needs its rooms back because there are too many kids. He said that this will make an impact on downtown and he doesn't think it will be negative. He said that this won't be an empty building and the area will see cars during services. He said that parking is going to be parking forever and is something that they will have to live with.

Debra Sixta addressed the Council and said that she is a 24 year resident and business owner. She asked the Council to approve this so the church can have a positive impact on downtown Kingman.

Dean Colvig addressed the Council and said that he has lived here since 1979. He said that AP Pawn has agreed to allow the church to use their parking lot during all non-business hours as has Wells Fargo. He said that Rednecks has as well and they submitted a letter wanting the church to come in. He said that downtown is a ghost town on Sunday mornings and not many businesses are open on Sunday. He said that they are filling holes and providing exposure. He said that before Lee Williams he had been to one business downtown. He said that this increases exposure and he has been to all of these business that he would never have been to before. He said that they look forward to being good neighbors. He said that they can bring dog food to the shelter and want to help. He said that this is their town. He said that they get help from Henderson, Nevada, but this was started by Kingman folks and they don't want to do anything to hurt the community because they live here.

Larry Cubis addressed the Council and said that 15 years ago downtown was pretty dodgy and there was not a lot down here. He said that they have some culture downtown and are building on. He gave kudos to the businesses who have come down during bad economic times. He said that they took leaps of faith. He said that with having lawyers presenting everything this says that the church is big with big dollars and will sue right away. He said that he got a feeling they were seeing a lot of deception. He said that weddings only have 100 people and during the week the church will have events like funerals when the church won't have the parking lot of the bank or pawn shop. He said that the City needs a lot of stock on what business owners are doing downtown and the financial input into the community. He said that the City is looking for additional revenue but businesses failing is losing the revenue stream. He told the Council to take time in their decision.

Councilmember Carver referred to Mr. Cubis' comment regarding life events and said that people don't look at it from this.

Mr. Cubis said to look at how many people attend funerals.

Marianne VanHasselt addressed the Council and said that she supports downtown merchants with dollars. She said that this is a commercial district. She said that they can work together with times and that the sales tax issue is a compelling government interest. She said that there must be minimal adverse impact for a CUP and the City cannot get sales tax from downtown. She then provided statistics from downtown

businesses. She said that downtown businesses help bring revenue and the church will be operating during prime business hours. She said that she heard church members say that they want to have an impact downtown. She said that there is a serious restriction to not conflict with sales tax income.

Mr. Dunton addressed the Council and said that never in the history of Arizona has the state thought it would be a good idea to have a church by a bar. He said that the entertainment zone allowed this to happen. He said that Praise Chapel has something going on every day and people come early and stay late. He said that there are 400 cars at Praise Chapel. He said that the church is saying they will be good neighbors but this is not concrete and they hope they will be good neighbors. He said that in Scottsdale people going to bars have to park blocks away. He said that this would be adding 200 cars on top of 200 cars. He said that millions of dollars have been invested and that perpetuates a government interest. He told the Council not to sentence people downtown and this is the wrong place.

Katie \_\_\_\_\_-Graves addressed the Council and said that she owns property here. She said that her mother said she wanted downtown to be the way it used to be. She said that she wants to start businesses downtown and the church will not bring revenue. She said that when she was here two months ago the church said it would only be on Sundays and now they will be here every day. She asked what about the businesses and parking and said that the church will take the closest parking. She said that downtown residents want to bring it back and the area is doing a great job bringing in businesses. She said that her visiting friends are excited about how the area has grown. She said that she has been here her whole life and this is not the right fit. She said that the church has been offered other buildings that have parking. She said that she may look at the building if the rent is right and asked where everyone is going to park. She said that if people see people standing around going to church they are going to think it is crowded and are going to drive passed. She told the Council not to be bullied into this. She said that the lawyers were here and she still has not seen a business plan saying what is going to happen. She said that not it is just bible studies and won't just be once a month.

Bill Wales addressed the Council and said that he loves this town and is very involved in this town. He said that Mr. Jeppson and Mr. Cooper have explained that the church meets the CUP requirements and the Council can't make this decision based on this being a church. He said that this is an organization that needed to find another facility to meet their needs and connected with the most wonderful landlord in this town. He said that the building has been vacant for four years and he doesn't see where a business can be put in. He said that he is sure there will be life events but this was used for events before. He said that he can't imagine being upset if she had a couple of events a week and this will be a positive influence downtown. He said that they do buy stuff here and will be a positive effect. He encouraged the Council to approve the CUP.

Nicholas Bodine addressed the Council and said that he is an executive with Central. He said that the church has several churches including one in Las Vegas in a warehouse district and one that meets in a bar which impacts the business in that the members stay and eat. He said that they are not a typical church and try to reach people who are un-church. He said that "celebrate recovery" offers hope for everyone and he wondered why downtown businesses would not want people recovered. He said that they are raising good people and good students and partner with organizations already here. He said that they do church a little differently. He said that they have worked with the Otts

who have been great to work with and this is just the next step to get down the road. He said that Tim from Blackbridge Brewery was going to speak to studies he has done to show churches bring revenue in. He said that they don't want to be bad neighbors and there will be parking available.

Cere Tabbert addressed the Council and said that she is a downtown resident. She said that she shares a lot of the same concerns especially about becoming a social services hub. She said that she has heard a lot of solutions and it would be great to have the CUP for one to two years at a time.

Cheri Deline addressed the Council and said that she operates a pet sanctuary. She said that she is one of the longest running tenants downtown and there are a lot of social services down here. She said that she is tired of downtown being the ashtray and this is not a religious issue. She said that she has nothing against this church but does not want it in downtown. She said that it is becoming a social services hub down here and doesn't think people recovering belong in an entertainment district. She said that it is busy in the evenings and there is not a lot open on Sunday because people busted their butts during the week. She said that parking is pretty much all taken and people have to park a block away from shops. She said that she doesn't want a parking issue and doesn't want this to be a social services hub. She said that parking has impacted the thrift shop and people will not walk all the way to AP Pawn. She said that they will park in front of the thrift shop and take away her business.

Shawn Stinson addressed the Council and said that everyone is talking about parking though he has never heard parking complaints with other events at that building. He asked what the issue is now.

Ms. Vanhasselt addressed the Council and said that when parking is not a problem many of the other businesses are dead.

Carol Ott addressed the Council and told them to think about the whole of Kingman. She said that the issue has been parking and some cities close down parking and people have to walk past shops. She said that when she travels she walks past shops and looks at this as bringing life to Kingman. She said that this is not about the money. She said that this is about a bigger Kingman and bringing life. She said that the building sits there empty and the propensity is for buildings to get run down and have rocks thrown through the windows. She asked if we want life and excitement. She said that she also wants business and tax dollars and this doesn't make sense to her. She said that this is a perfect fit to get life. She said that she loves Rednecks and the area didn't have life before they started getting some of these things. She said that this will perpetuate more life then named several small towns and explained their downtown areas. She said that this is a perfect fit and will fill in life. She asked what the Council wants in a 13,000 square-foot building that won't take up parking.

Bubba Floyd addressed the Council and said that he owns Rednecks. He said that he is opening a new business and he believes in downtown. He said that this will bring sales tax revenue. He said that he is going to open on Sunday and he hopes and prays they will come and spend money and socialize and by the 20th of the month he will write a check to the state. He said that he hopes and prays the Council will consider this and grant them the opportunity to come and visit. He asked why others aren't complaining about parking and said it is because they want the sales tax revenue. He said that they will socialize and will make downtown.

Ms. \_\_\_\_\_-Graves said that she put out on Facebook to come down and speak. She said that church members don't go into coffee shops. She said that businesses are having to solicit and she doesn't think this is the right fit. She said that the parking will be every day of the week and she wanted to make sure the Council understood where she was coming from.

Dennis Colvig addressed the Council and said that he has lived here for over 36 years. He said that this is his city and he has done many things here. He said that he wanted to speak briefly and thanked the Council for their consideration. He said that he was glad he was not in the Council members' seats. He said that he was speaking on behalf of the church. He said that he loves Kingman and it is a part of him. He said that this is the right decision to grant the CUP.

Mayor Anderson closed the public hearing at 11:53 P.M.

Mayor Anderson said that the Council heard a lot from both sides with many valid points. He said that given the time they have spent here they were entitled to hear the Council's thoughts.

Councilmember Carver asked if the entertainment district came after this request.

Mr. Jeppson said that it came before.

Councilmember Carver clarified that the downtown businesses heard about the potential CUP and did this to protect the liquor licenses downtown. He said that this was the reason for the entertainment district.

Mr. Jeppson said that the Downtown Merchants wanted the City to adopt it.

Councilmember Carver asked Mr. Cooper if he had heard anything that would give the Council any inkling that this does not meet the CUP requirements.

Mr. Cooper said that it is not his job to make a factual determination and looking at the case law this does not meet the compelling government interest if this met litigation.

Councilmember Yocum said that he heard compelling arguments from both sides and he agreed with some of those from each. He said that he appreciates everyone's input. He said that this is a difficult decision and he is respectful on both points of view. He said that he doesn't think a church occupying the building will hamper the area, that they wish to be good neighbors and he thinks the congregation will make every attempt to be. He said that it may be a different fit. He said that the church looks forward to supporting the merchants and hopes that the merchants will return that. He said that he hopes for an odd cooperation.

Vice Mayor Young said that listening to everyone she tries to be objective. She said that she doesn't see parking as an issue as a business would still cause a parking issue. She said that a couple of people were concerned about public safety regarding drug and alcohol rehabilitation. She said that she hopes businesses do increase their business and to hear the same issue from the church that all of the parking spaces are taken. She said that this is a difficult decision because she felt like they were being railroaded into making it.



Councilmember Abram said that he is happy to go on record that Jesus Christ is his Lord and Savior. He then quoted a section from the federal statute and said that he is not sure there is a substantial burden because the church has yet to move into the building. He then quoted a section of the zoning regulations and said that looking at the General Plan and the general welfare of downtown there is the potential of there being jeopardy due to having a general assembly there. He said that there is the probability of not having a property tax and it is the job of the City to bring in tax revenue by generating businesses. He said that he worked at a church and understands the hardships of finding a right building. He said it appears to be a right fit and is probably not the right thing long term for the City.

Councilmember Dean said that he has heard compelling statements from both sides and he is also a Christian. He said that either way someone will be mad and he was still wondering if granting the CUP for one to two years was even possible. He said that he doesn't know if the Council could grant the request for a shorter period of time to see if this causes a problem and see if it would cause a problem during the week.

Councilmember Miles asked if it was possible to grant a one to two year CUP.

Mr. Cooper said that this goes back to the federal statute and the City has to treat the church as they do everyone else. He said that this has not been imposed on any other CUP and could come to litigation if pursued in this manner. He said that it is his job to protect the City and the Council needs to list a compelling government interest to deny this. He said that denial is considered a substantial burden.

Councilmember Miles said that she is also a Christian and a member of a small faith community so is very sympathetic to this. She asked why this spot was selected when there are so many other vacant spots and said she did not know the answer. She said that she thinks the most compelling thing is the enthusiasm of the church to bring life to that building. She said that this does not seem like the fit for downtown and this is such a centerpiece building for the heart of the retail and historic district. She said that this is not the best fit in her mind. She said that this was coming from her love of Kingman and she was trying to make a wise choice for the community. She said that the merchants are putting in so much effort. She said that she has listened to everyone and this is a tough call. She said that speaking about the opportunity cost five years is a long time. She said that it is hard to believe that this wouldn't be a retail establishment downtown to help this booming district.

Mayor Anderson said that he has moved around several times to places with churches downtown or on the outskirts. He said that it can work but there are some problems. He said that he disagreed with Mr. Cooper and goes back to the person who owns the building and the offers of a lease and the tenant who agrees to it. He said that the City cannot agree to a CUP for a shorter period of time though the owner and tenant could modify it but that is up to them. He said that it bothers him that a couple of years ago the church met in the back room and now is at 300 people and he was not sure Central Commercial would be able to hold them in a few years. He said that there are a lot of followers and asked what happens if the church has outgrown the building in a couple of years. He said that this goes back to Ms. Ott and the church. He said that this is a complex issue and he believed in the need for a revenue base from downtown. He said that he believed the tenants and the parishioners will probably patronize the businesses downtown and he was not sure how much of a loss of revenue there would be because

the church is in there. He said that he was concerned about the neighboring businesses and suggested that the church and the merchants meet regularly and report back quarterly as to what issues have been identified to remedy. He said that both owe one another that opportunity. He said that they covered the thoughts and concerns and understand the issues brought before them. He said that there has been excellent representation on both sides and both have strong reasons. He said that he hopes what ever decision is made people on both sides will make it work or help find another place.

Councilmember Carver made a MOTION to APPROVE Resolution No. 4985.  
Councilmember Yocum SECONDED.

Mayor Anderson called for a roll call vote.

The MOTION was DENIED by a vote of 2-5 with Mayor Anderson, Vice Mayor Young, Councilmember Abram, Councilmember Dean, and Councilmember Miles voting NAY.

**c. Creation of a Court Clerk position for Veterans Court**

Based on the anticipated participation rate of the new Veterans Treatment Court program, Staff recommends adding a Veterans Court Clerk position for program support. Currently the Municipal Court has an unfunded .50 FTE (full-time employee) Court Clerk position. Staff recommends funding the .50 position and increasing it by .50 to be 1 FTE. The position will remain at the same salary grade as the current Court Clerk position, but will be re-titled to Veterans Court Clerk and the job description revised to better align the tasks with those related to a veterans treatment court program. **Staff recommends approval.**

City Magistrate Judge Jeffrey Singer addressed the Council and said that the Court had a half-time employee who retired. He said that the Veteran's Court needs a clerk and the position will be necessary. He said that there is budget for operational costs for the Veteran's Court and court personnel will be the lion's share of this. He said that Court Administrator Ruthie Teigen has been doing this but cannot continue. He said that the court wants to take the half-time spot and the other half from the budget for the Veteran's Court to create a full time spot. He said that he is hoping to hire for the position by the beginning of February and that the Veteran's Court will become their sole focus. He said that this is similar to how Lake Havasu City started with their Veteran's Court. He said that the Veteran's Court is hoping to have four people in the program by the end of the year and the court needs help. He said that he cannot burden his staff with this more than he already has. He said that this will not take any additional money it is just being moved around.

Councilmember Dean asked for clarification that this position will still be at \$22,000 per year.

Judge Singer said that this amount was just through June 30th. He said that the Court has already budgeted with the half-time position and he wants to supplement the remainder from the Veteran's Court. He said that this is what is needed for the program.

Councilmember Abram made a MOTION to APPROVE the creation of a Court Clerk position for the Veteran's Court. Councilmember Miles SECONDED and it was

APPROVED by a vote of 7-0.

**d. Resolution 4986: compensation and classification plan**

Attached Resolution 4986 amends previously adopted Resolution 4953 by amending the classification and compensation plan for FY 2015/2016 to reflect changes in Fire Department personnel classification and Municipal Court personnel. **With Council approval of previous related agenda items, Staff recommends approval of the change to the classification and compensation plan.**

Mr. Cooper said that this codifies the Court Clerk and Fire Department matters.

Councilmember Carver said that he through the Battalion Chief - Operations would be in a different pay grade which he was told was incorrect.

Councilmember Abram made a MOTION to APPROVE Resolution No. 4986. Mayor Anderson SECONDED and it was APPROVED by a vote of 7-0.

**e. Department presentation - Fire**

The City Manager has directed each department head to give a brief presentation to the Council and Public on the purpose and future of the department. The Fire Department will provide a report for informational purposes only.

Chief Rhoades had provided a copy of a PowerPoint presentation to the Council prior to the meeting and went over it with the Council. A copy of the PowerPoint presentation has been attached to these minutes. The PowerPoint was not displayed due to technical difficulties.

Chief Rhoades said that he wanted to discuss what had been accomplished this year and the department going forward. He then read the mission statement of the Kingman Fire Department which had recently been revised by a committee of department employees. He said that they also defined the departments values for the future. He said that the department serves the City of Kingman as one of the only municipal fire departments in the county. He said that the department maintains tight relationships with the neighboring fire districts and are working on making these relationships closer. He said that this means the service only gets better for Kingman and anyone who travels through. He said that following retired Fire Chief Chuck Osterman is a blessing and Chief Osterman and the people in the organization left a legacy and foundation to build on. He said that the department has gone through tough time during the past year and have hired for every position within the department. He then discussed the schedules, stations, and staffing of the department. He said that saying that the department is "just a fire department" is not accurate and discussed the services the department provides. He said that the department also manages dispatch and reiterated the strong relationships with the police department and surrounding fire districts. He then discussed each of the fire stations individually and said that rebuilding Station Two and adding Station Five are priorities for the department. He said that Station Two is currently in a 50 year old building and its apparatus had to be specially designed to fit into the building. He then said that the station on Gordon Drive is okay. He said that the department is currently good to take calls across the City boundary of Gordon Drive

and the department is working to make this automatic to make the City better. He then discussed the coverage gap caused from the lack of Station Five and said that this causes significant response time to the East bench. He said that the station will help response times which are not good right now. He then discussed the department's new \$3,000 to \$4,000 hazmat trailer which the department obtained through a grant. He said that the hazmat risk through the city is tremendous though the department does not have a lot of those calls. He said that the need to store this trailer and the department's brush truck, which are currently stored outside at Station Two, mean that the new Station Two will have four bays to extend the life of the equipment. He then gave a synopsis of call statistics for the department and said that the number of calls the department responds to increases each year. He said that this year calls for service are expected to reach over 10,000. He said that emergency calls are up 14-percent over last year. He said that the department could do things different. He said that the department wants to maintain the same level of service even on low priority calls and those numbers will continue to increase. Chief Rhoades then discussed how Insurance Service Office (ISO) ratings are calculated and said that these ratings mean lower insurance rates for homeowners. He said that the goal is to get to an ISO rating of two which he said is very attainable. He then discussed the department's priorities for the coming year. He said that there are programs the department is trying to implement in the coming year. He said that 46-percent of the department's calls are handled by Station Two. He said that implementing a rapid response vehicle program would keep the red trucks in the station more. He said that the department is applying for grants and the new Battalion Chief in charge of training has a background in grant writing. He also discussed the department working toward accreditation. He said that the department has basic infrastructure issues and said that updates to the preemption system were made this year. He said that the department is pushing the parameters on vehicle life. He said that the department continues to come up with new goals and are working toward achieving them. He said that an example of this is the department's health and wellness program and the implementation of fitness testing.

## **8. REPORTS**

### **Board, Commission and Committee Reports by Council Liaisons**

There were no reports given.

## **9. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER**

*Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.*

Mr. Dougherty wished everyone a happy holidays and said that he would be in Lake Havasu City the following day for meetings.

The Council wished everyone Merry Christmas.

Mayor Anderson ADJOURNED the meeting at 12:44 A.M on Wednesday, December 16, 2015.

**ADJOURNMENT**

ATTEST:

APPROVED:

\_\_\_\_\_  
Sydney Muhle  
City Clerk

\_\_\_\_\_  
Richard Anderson  
Mayor

STATE OF ARIZONA)  
COUNTY OF MOHAVE)ss:  
CITY OF KINGMAN)

**CERTIFICATE OF COUNCIL MINUTES**

I, Sydney Muhle, City Clerk and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Common Council of the City of Kingman held on December 15, 2015.

Dated this 19th day of January, 2016.

\_\_\_\_\_  
Sydney Muhle, City Clerk and Recording Secretary



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** City Clerk's Office

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** The Regular Meeting and Executive Session minutes of January 5, 2016

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**SUMMARY:**

Regular Meeting and Executive Session minutes of January 5, 2016

**FISCAL IMPACT:**

None

**STAFF RECOMMENDATION:**

Approve the minutes.

**ATTACHMENTS:**

Description

Regular Meeting minutes of January 5, 2016

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Roper, Erin	Approved	1/12/2016 - 10:34 AM

**CITY OF KINGMAN  
MEETING OF THE COMMON COUNCIL  
Council Chambers  
310 N. 4th Street**

**5:30 PM**

**DRAFT MINUTES  
REGULAR MEETING**

**Tuesday, January 5, 2016**

**CALL TO ORDER AND ROLL CALL**

**Mayor:** Richard Anderson; **Vice-Mayor:** Carol Young; **Council:** Mark Abram, Larry Carver, Kenneth Dean, Jen Miles, Stuart Yocum

**Officers:** John Dougherty, City Manager; Carl Cooper, City Attorney; Jackie Walker, Human Resources and Risk Management Director; Robert DeVries, Chief of Police; Jake Rhoades, Fire Chief; Greg Henry, City Engineer; Mike Meersman, Parks & Recreation Director; Tina Moline, Finance Director; Gary Jeppson, Development Services Director; Rob Owen, Public Works Director; Jack Plaunty, Streets Superintendent; Joe Clos, Information Services Director; Sydney Muhle, City Clerk; Erin Roper, Deputy City Clerk and Recording Secretary

Mayor Anderson called the meeting to order at 5:30 P.M. All councilmembers were present.

**INVOCATION**

The invocation will be given by Grif Vautier of Kingman Presbyterian Church.

The invocation was given by Reverend Vautier after which the Pledge of Allegiance was said in unison.

**PLEDGE OF ALLEGIANCE**

THE COUNCIL MAY GO INTO EXECUTIVE SESSION FOR LEGAL COUNSEL IN ACCORDANCE WITH A.R.S.38-431.03(A) 3 TO DISCUSS ANY AGENDA ITEM. THE FOLLOWING ITEMS MAY BE DISCUSSED, CONSIDERED AND DECISIONS MADE RELATING THERETO:

**1. APPROVAL OF MINUTES**

- a. There are no minutes to approve this meeting.**

**2. APPOINTMENTS**

- a. Consideration of appointing and/or reappointing Economic Development and Marketing Commission (EDMC) members**

EDMC members Chuck Waalkens' and Susan Yamaguchi's terms expired on December 31, 2015. Ms. Yamaguchi did not seek reappointment. Mr. Waalkens expressed interest in serving a second term. The EDMC also has two vacant terms that expire December, 2017. On December 9, 2015 the EDMC voted 4-0 to recommend reappointing Chuck Waalkens for a second full term and to appointment Eugene Kirkham to his first full term. **Staff recommends approval.**

Chuck Waalkens stated his first term went quickly and was very enjoyable. Mr. Waalkens stated the commission voted to appoint him as the Chair for 2016 and wanted the Council's approval in order to continuing serving.

Eugene Kirkham stated he was looking forward to the change of serving on the EDMC instead of the Planning & Zoning Commission and hoped the Council would approve his appointment.

Councilmember Abram made a MOTION to APPOINT Eugene Kirkham to his first three year term and REAPPOINT Chuck Waalkens to a second three year term on the Economic Development and Marketing Commission. Councilmember Miles SECONDED and it was APPROVED by a vote of 7-0.

- b. Consideration of reappointing Krystal Burge to the Tourism Development Commission**

**(TDC)**

Krystal Burge's term ended December 31, 2015. The TDC met on December 3, 2015 and recommended on a four-to-one vote to reappoint Ms. Burge. Ms. Burge has served four terms and is willing to serve another term, which requires a super-majority vote of the Council. **The TDC recommends approval.**

Krystal Burge stated her purpose for continuing to serve on the commission was to make the Powerhouse a landmark in the community. Ms. Burge stated the TDC worked hard to save funds and make the remodel of the Powerhouse a priority.

Councilmember Carver stated Ms. Burge was valuable TDC member due to the upcoming changes in management of the Powerhouse, but at some point term limits should be enforced as the Council does an injustice to the commissions by continuing to reappoint the same individuals. Councilmember Carver stated he was not aware of any other candidates at this time. Councilmember Carver stated he was conflicted on Ms. Burge's reappointment due to those factors.

Ms. Burge stated Jan Davis would be submitting an application and she agreed with Councilmember Carver's concerns. Ms. Burge stated her reason for seeking reappointment was to protect the Powerhouse funds and remodeling plans. Ms. Burge stated she would happily resign from the commission once the project was complete.

Mayor Anderson stated it was important to have Ms. Burge's experience on the commission due to the upcoming organizational change of the Kingman Visitors Center coming under direct City management in July, 2016. Mayor Anderson stated he otherwise agreed with Councilmember Carver's points.

Councilmember Carver made a MOTION to REAPPOINT Krystal Burge to the Tourism Development Commission. Councilmember Yocum seconded and it was approved by a vote of 7-0.

**3. AWARDS/RECOGNITION**

**a. Employee service recognition**

In appreciation for their hard work, dedication, and loyalty, the Mayor and Council would like to recognize employees who have reached years of service milestones, beginning at five years of service and continuing at each five year interval. Tonight the Mayor and Council hereby convey their earnest appreciation to:

<b>Yrs of Service</b>	<b>Name</b>	<b>Title</b>	<b>Department</b>
20	Blum, Thomas	Equipment Operator B	Street Dept
30	White, Harry	Welder	Fleet
10	Ackerson, Ronald	Crew Leader	Golf Course
10	Linne, Cindy	Court Clerk	Magistrate Court
10	Reed, Danny	Police Officer	Police
10	Rodriguez, Carlos	Bluestake Coordinator	Water Operating
5	Osborn, Dustin	Firefighter	Fire
5	Payton, Judy	Customer Service Representative	Water Admin
5	Vandekrol, Pam	Payroll/Accts Payable Clerk	Finance

**Mayor and Council would also like to congratulate the following retirees on their retirement:**

Linda Dorado-Corwin who retired from Water Administration on December 11, 2015 with 19 years of outstanding service.

Vice-Mayor Young read the names of the employees who were present and Mayor Anderson presented certificates to them.

Mayor Anderson thanked retiree Linda Dorado-Corwin for her years of service and thanked all City employees for their hard work.



#### **4. CALL TO THE PUBLIC - COMMENTS FROM THE PUBLIC**

Those wishing to address the Council should fill out request forms in advance. Action taken as a result of public comments will be limited to directing staff to study the matter or rescheduling the matter for consideration and decision at a later time. Comments from the Public will be restricted to items not on the agenda with the exception of those on the Consent Agenda. There will be no comments allowed that advertise for a particular person or group. Comments should be limited to no longer than 3 minutes.

Kingman resident Herberta Schroeder stated the Council needed to understand how audience members and constituents viewed meetings. Ms. Schroeder stated councilmembers should ask Staff questions on items because a lack of questions gave the appearance the councilmembers did not care. Ms. Schroeder stated it was inhumane to expect Staff to be at their best the day after a seven hour meeting. Ms. Schroeder stated long meetings also gave the impression the Council did not want constituents present as most people did not have the time to commit to long meetings. Ms. Schroeder stated arguing with people during a meeting should not be allowed. Ms. Schroeder stated the Council should heed the City Attorney's advice and also understand that Staff may be terse during meetings because they have worked a full day addressing other problems. Ms. Schroeder stated the Council should announce commission vacancies every meeting in order to encourage people to apply.

Kingman resident Dean Wolslagel stated the public needed to know there were problems with the administration of the Human Resources (HR) Department. Mr. Wolslagel stated there was a lot of nepotism and cronyism in the City, which created a code of silence in the community. Mr. Wolslagel stated he discovered discrepancies in finances in the Water Department in 2007, but he was labeled a disgruntled employee by the City Attorney and HR for reporting it. Mr. Wolslagel stated he sent a letter to the City Attorney in 2008 that detailed the illegal activities. Mr. Wolslagel stated there was a small group of people controlling communication in the City and employees were afraid to speak up because they could be fired like he was. Mr. Wolslagel stated the City needed a second opinion of its operations, which was why audits were important. Mr. Wolslagel stated he provided copies of his letter to the City Clerk for distribution to the Council as well as extra copies for the public; a copy is included at the end of this report.

Kingman resident Don D'Angina stated he wished to address the topic of Central Christian Church's conditional use permit (CUP) for the Central Commercial Building. Mr. D'Angina stated many areas around the country were losing track of putting churches in commercial areas and the City should not do that. Mr. D'Angina stated the City should be willing to put churches where they needed to go and there was no reason why the church should not be allowed to utilize the Central Commercial Building. Mr. D'Angina stated there was a lot of parking, especially on Sunday, and there was a Federal law that ordered the City to honor the request. Mr. D'Angina stated there were already churches downtown. Mr. D'Angina asked the Council to give the public a good reason why the CUP was denied. Mr. D'Angina stated the CUP should be approved.

Kingman resident Joe Longoria stated there was a lack of leadership in allowing former vice-mayor Mark Wimpee, Sr. to be attacked during a Council meeting. Mr. Longoria stated it showed a lack of decorum and a meeting was not the appropriate place to allow a person to be disparaged and his or her reputation torn apart. Mr. Longoria stated he knew Mr. Wimpee, Sr. had the opportunity to defend himself and it was admirable that he showed restraint and allowed the public to speak. Mr. Longoria stated he hoped the Council would not continue to allow the public to disparage people. Mr. Longoria stated Mohave County prohibited disparaging any member of the Board of Supervisors, Staff or audience during meetings and asked the Council to consider enacting this rule in order to prevent what happened to Mr. Wimpee, Sr. from happening again.

Kingman resident Marianne van Hasselt stated she appreciated the Council's vote on the Central Commercial Building conditional use permit (CUP). Ms. van Hasselt stated the Council was elected to represent what was best for Kingman and it appeared as if Central Christian Church expected preferential treatment. Ms. van Hasselt stated the church demanded to be allowed to park in the way of money or otherwise receive financial compensation. Ms. van Hasselt stated the church was not being a good neighbor by expecting everyone to support their religion through a property tax or an increase in sales tax.

#### **5. CONSENT AGENDA**

All matters listed here are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed from the CONSENT AGENDA and will be considered separately.

**a. Utility easement agreement**

The Kingman Police Department (KPD), with the assistance of the Parks & Recreation Department and Public Works Department, have expanded parking at KPD's facility. Staff removed shrubbery and graded an area to the north of the building; however, a utility pole and guide wire need to be removed to allow for barrier free parking. Unisource reviewed the site and agreed to remove the obstruction at no cost to the department upon completion of the attached utility easement agreement. **Staff recommends accepting the utility easement agreement.**

**b. Liquor license application**

Applicant Ruby Christina Duey of the Mohave Livestock Association has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, February 13, 2016 from 4:30 P.M. to 2:00 A.M. at 301 N. 4th Street in Kingman. **Staff recommends approval.**

**c. Liquor license application**

Applicant Yvonne Woytovich of the Kingman Area Chamber of Commerce has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, February 27, 2016 from 6:00 P.M. to 10:00 P.M. at 201 N. 4th Street in Kingman. **Staff recommends approval.**

**d. Liquor license application**

Applicant Jamie S. Taylor of the Route 66 Association of Kingman has applied for a Series 15 Special Event Liquor License for an event taking place Saturday, January 16, 2016 from 5:00 P.M. to 10:00 P.M. at 201 N. 4th Street in Kingman. **Staff recommends approval.**

**e. Resolution 4988: authorization for banking activities**

Resolution 4988 removes Diane Richards, Budget Analyst, and adds Aracely Rivas, Finance Administrator, as an authorized person to make wire transfers between the City's accounts. It removes the authorization for any person to make telephonic transfers between the City's accounts. **Staff recommends approval.**

Mayor Anderson stated item "5e" was pulled from the Consent Agenda as the individual identified in the resolution resigned.

Councilmember Yocum made a MOTION to APPROVE Consent Agenda items "5a" through "5d." Councilmember Young SECONDED and it was APPROVED by a vote of 7-0.

**6. OLD BUSINESS**

**a. Public Hearing and consideration of Ordinance 1806: creating the Kingman Crossing Planned Development District (PDD) and applies this zoning district to the 151 acre area located south of Interstate 40 (I-40) in the Kingman Crossing area**

The proposed Kingman Crossing PDD text has been revised since the public hearing held on November 3, 2015. The Planning and Zoning Commission held a public hearing on December 8, 2015 and recommended approval of the proposed district text with the exception to permit murals on exterior walls of buildings. Changes from the previous draft include: permission of poles in the area that are at least 1,000 feet from the section lines; more restrictive lighting standards; prohibition of mechanical lifts outside of buildings; requiring service bays to face north; and the permission of murals on exterior buildings. **The Planning and Zoning Commission and Staff recommend approval of Ordinance 1806.**

Development Services Director Gary Jeppson displayed the slides included in the agenda packet. Slide one was an introductory slide. On slide two Mr. Jeppson stated the 151 acre property was located south of Interstate 40 (I-40), west of Prospector Street and east of the power line on the

Sage Drive alignment. Mr. Jeppson reviewed slides three through five. Slide six showed a concept map developed in 2007. On slide seven Mr. Jeppson stated the map of the area to be rezoned had one minor correction, which was the removal of a small square of Unisource Engery Services property at the top left of the map. Mr. Jeppson reviewed slides 8 through 13. Mr. Jeppson reviewed slide 14 and stated the signage requirements would be similar to those enforced on Hualapai Mountain Road. On slide 15 Mr. Jeppson stated pole signs would be allowed in the boxed area on the map. Mr. Jeppson reviewed slides 16 through 20.

Councilmember Abram stated he believed citizens did not want to allow pole signs.

Mr. Jeppson stated the signs would only be permitted in the established area.

Councilmember Abram stated a monument sign would be preferable to a pole sign for aesthetic reasons.

Mr. Jeppson stated the signs would need 50 feet of skirting in order to reach 40 feet above the grade of I-40. Mr. Jeppson stated the skirting would need to be from the ground to the sign.

Councilmember Abram asked if there was a limit on the number of signs.

Mr. Jeppson stated a sign would only be allowed every 300 feet, which would equal a maximum of 8 signs for the area.

Vice-Mayor Young asked if there were any conditions for the design and color of murals.

Mr. Jeppson stated there was not and there were concerns regarding the point at which a mural becomes a sign.

Councilmember Carver asked if the pole signs would be allowed on the property to the north of I-40 and if the skirting was required. Councilmember Carver stated the sides should have uniform regulations.

Mr. Jeppson stated he would need to check on the regulations for the north side.

Councilmember Carver stated the issue of murals was contentious as some people liked them and others found them distracting.

Mayor Anderson opened the public hearing at 6:09 P.M.

Kingman resident Doug Dickmeyer stated Planning & Zoning Commissioner Angle suggested removing the language prohibiting pole signs and Mr. Jeppson made the changes to the ordinance. Mr. Dickmeyer stated allowing pole signs was contradicted the purpose of creating the PDD, which was formed to limit or prohibit items that were not compatible with the surrounding areas. Mr. Dickmeyer stated opposition to pole signs was heard at two public hearings. Mr. Dickmeyer stated the PDD ordinance was the cornerstone to Kingman Crossing and thanked the Staff for their hard work on it.

Ms. van Hasselt stated the skirting was a good idea and pole signs were necessary to attract people who were driving by on I-40. Ms. van Hasselt stated Mr. Jeppson spoke to the Sandbox Committee about murals, in particular the percentage of a mural that could pertain to a business without the mural becoming a sign. Ms. van Hasselt stated it would be beneficial to have signs and murals to tell people what shops were available.

Kingman resident Harley Petit stated the property was landlocked and it would take a lot of money to open up. Mr. Petit stated many years ago he suggested expanding Airway Avenue as a way to provide access. Mr. Petit stated the Kingman Crossing property should be used for a park, flood management and a new fire station. Mr. Petit stated there should be a crossing at Prospector Street as well as land set aside for an annual fireworks display. Mr. Petit stated the crossing could be a start to an interchange, which would allow the project to be completed in more manageable stages.

Mr. Petit stated the area would be visible from the freeway and draw people in, much like the Kingman Golf Course. Mr. Petit stated he hoped the Council would discuss his suggestions and postpone decisions if necessary.

Ms. van Hasselt asked why the ordinance required the City to wait to implement the PDD until the Arizona Department of Transportation (ADOT) put forth money for the interchange. Ms. van Hasselt stated the City should not have to wait if a person came forward with the money.

Mayor Anderson closed the public hearing at 6:17 P.M.

Councilmember Carver stated he wanted to know what the restrictions were on the north side of I-40 before making a decision as well as revisit the inclusion of murals and pole signs.

Councilmember Abram stated the conditions for the properties should be uniform, but he felt the skirting solved the aesthetic problem of pole signs. Councilmember Abram stated the City contained many murals that some people appreciated and others did not. Councilmember Abram stated murals on commercial buildings was part of the mystique of the City.

Councilmember Miles stated she agreed with uniform restrictions. Councilmember Miles stated she wanted to know if pole signs containing the names of several businesses would be required as a way to avoid an overcrowded frontage. Councilmember Miles stated murals were characteristic of historic downtown, but may not be appropriate for the new area.

Councilmember Miles made a MOTION to TABLE item "6a" until information on the conditions for the north side were known, the sign portion of the ordinance was reworked, and unified conditions for both sides of I-40 were developed. Councilmember Carver SECONDED and it was APPROVED by a vote of 7-0.

**b. Adoption of Ordinance 1810: amendments to City Code Chapter 3, Article II, Section 3-22**

On October 6, 2015, the Council directed Staff to amend the ordinance at the request of resident Amber Novak in order to permit livestock allowances on properly zoned property to be interchangeable. For the sake of efficiency, Staff also implemented further alterations to increase uniformity of language throughout the ordinance and clarify bird allowances in response to enforcement issues encountered by KPD personnel. **Staff recommends adopting Ordinance 1810.**

City Attorney Carl Cooper stated a citizen came forward and asked for the ability to swap out goats for other animals on properly zoned property. Mr. Cooper stated Assistant Attorney Lee Hocking revised some language in the ordinance and added the ability to make those substitutions.

Councilmember Miles made a MOTION to APPROVE Ordinance 1810. Councilmember Yocum SECONDED and it was APPROVED by a vote of 7-0.

**c. Discussion and possible decision on work session**

The Council will discuss and possibly direct staff to set a date for a work session to discuss the property tax levy, visioning, budget goals and annexation. Council must decide the levy amount by the second meeting in January, 2016. **Staff recommends setting a date for a work session between January 7-15, 2016.**

Mayor Anderson stated a work session was scheduled for January 7, 2016 at 3:30 P.M. at the Kingman Police Department.

**7. NEW BUSINESS**

**a. Presentation and funding request from Help Animals Lives Today (H.A.L.T.)**

Lotti Benker of H.A.L.T. is requesting the Council grant funding in the 2016-17 fiscal budget. Ms. Benker is also proposing the City ban the sale of puppies within the City limits unless a business license is granted and maintained. **While sympathetic to the lives of animals, Staff recommends denying the funding request as there are several adoption agencies in the area.**

Lotti Benker stated the agenda was incorrect and she did not suggest paying for a permit to breed dogs. Ms. Benker stated the issue of people breeding dogs and not being able to afford to have them vaccinated or spayed/neutered needed to be addressed. Ms. Benker stated there should be an ordinance that addressed the problem of people giving away unvaccinated dogs in parking lots. Ms. Benker stated canine parvovirus (parvo) was out of control in Kingman. Ms. Benker stated she was asking for three hours of manpower on Saturday or Sunday to patrol the parking lots where people gave away puppies. Ms. Benker stated she did not want anymore sick animals to circulate in the population and if there was an ordinance in place it may help to curb the problem. Ms. Benker stated there may come a time in the future where the City had the money available for people that could not afford to spay/neuter their pets.

Councilmember Miles stated it was a complicated request and enforcement must be considered when proposing new ordinances. Councilmember Miles stated this type of ordinance could cause people to continue the behavior outside of City limits or dump the animals in the desert. Councilmember Miles asked Ms. Benker if she worked with the other animal welfare agencies to form a unified request or suggested ordinance language.

Ms. Benker stated she did not want to involve law enforcement agencies because many of the officers did not know about laws relating to animals. Ms. Benker stated she was arrested for attempting to take a dog to a veterinarian instead of the animal shelter. Ms. Benker stated she was requesting outside monitoring of the situation such as a volunteer to patrol the areas for three hours on Saturdays and Sundays.

Councilmember Miles stated the issue needed to be referred back to the animal welfare groups in order to devise a unified approach. Councilmember Miles asked City Manager John Dougherty if he could coordinate the effort as he belonged to the board of the Western Arizona Humane Society. Councilmember Miles stated it would be excellent if Ms. Benker could take the lead on the project.

Mr. Cooper stated he and Mr. Dougherty would be involved as it would be a multi-step process.

**b. Consideration of waiving Subsection 2.2(8)(iv) of the Subdivision Ordinance to permit Kingman Crossing LLC to seek a preliminary plat extension on Kingman Crossing Plat 1993**

Kingman Crossing Tract 1993 Preliminary Plat is a 1,154 lot subdivision located south of Airway Avenue, east of the Castle Rock alignment, west of Prospector Street, and north of the Hualapai Campus of the Kingman Regional Medical Center. The preliminary plat was approved August 2, 2004 and the latest two year preliminary plat extension expired on November 6, 2014. Granting an extension of the existing preliminary plat allows the owner to plat without necessary right-of-way and then subsequently requires the City to acquire the houses and property necessary to construct the Kingman Crossing Boulevard as identified in the Kingman Crossing Design Concept Report. In the past the applicant has claimed no involvement with the commercial aspect of the Kingman Crossing area north of I-40, but Kingman Crossing LLC was the applicant on the General Plan amendment to designate this area as "Regional Commercial" in 2004. **Staff recommends not waiving Subsection 2.2 98)(iv) of the Subdivision Ordinance and thereby requiring the subdivider to apply for a new preliminary plat that includes the 130-feet wide right-of-way for Kingman Crossing Boulevard.**

Mayor Anderson stated item "7b" was pulled from the agenda.

**c. Public hearing and consideration of Resolution 4987: approval of a one-year renewal of a conditional use permit (CUP) approved under Resolution 4860 to expand a mini-storage complex at 3442 Hualapai Mountain Road**

Robert E. & Judith Bennett, applicants and property owners, requested approval of a one-year renewal of a CUP originally approved on October 15, 2013 to expand a mini-storage complex at 3442 Hualapai Mountain Road. The CUP allowed approximately 210 mini-storage units of varying sizes as well as an office, manager's residence, and garage as additions to the existing facility. Because a building permit was not obtained within one year, the applicant requested and received a one-year renewal of the CUP from the Council on December 2, 2014 with direction to Mr. Bennett that he must begin construction in one-year. On October 20, 2015, the City issued a grading permit for the subject

site; however, a building permit has not been obtained and grading has not taken place. The property owner is requesting another one-year renewal of the CUP. The Planning and Zoning Commission met on December 8, 2015 and held a public hearing on this request. There was no public opposition to this request for renewal. **The Planning and Zoning Commission voted 3-2 to recommend approval of the request for the one-year renewal of the CUP.**

Mr. Jeppson displayed the slides included in the agenda packet. Slide one was an introductory slide. Mr. Jeppson read slide two. On slide three Mr. Jeppson stated the property was located on Hualapai Mountain Road. Slide four was an aerial photo of the property. Mr. Jeppson reviewed slide five and stated copies of a letter from Mohave Engineering were supplied to the Council; a copy is included at the end of this report. Mr. Jeppson stated slide six was a previously displayed graphic of the applicant's plan for the property. Mr. Jeppson skipped to the recommendation slide and read the text.

Councilmember Abram asked if there was a stipulation that no further renewals would be granted.

Mr. Jeppson stated the Council made that stipulation in December, 2014.

Applicant Robert Bennett stated he apologized for asking the Council for another renewal, but he encountered civil engineering problems that created substantial delays. Mr. Bennett stated he made minor revisions to the grading plan and submitted it as well as the foundation and plumbing plans. Mr. Bennett stated he still needed an electrical plan and the building plans.

Councilmember Abram asked when the building plans would be completed.

Mr. Bennett stated it would take two months for the building plans and two weeks for the electrical plan. Mr. Bennett stated one of the problems with the CUP process in new construction was that it could take months to find an engineer or contractor after the permit was obtained and at that point people were hesitant to work with the applicant because the permit was close to expiring. Mr. Bennett stated engineers and contractors feared the permit would not be extended. Mr. Bennett stated there was only about eight months of working time. Mr. Bennett stated the CUP process needed to be revised and that while the fees were not an issue, the deadlines were too tight, especially in Kingman.

Vice-Mayor Young asked what problems Mr. Bennett encountered in the second year of the extension.

Mr. Bennett stated 90% of his problems were related to civil engineering. Mr. Bennett stated there were not a lot of civil engineers or qualified people in town. Mr. Bennett stated the extension should be approved due to the fact that the property had a CUP instead of the original zoning. Mr. Bennett stated he cooperated with the City and the right thing to do would be to approve the extension.

Mayor Anderson asked when the applicant would be able to submit the required information.

Mr. Jeppson stated the plans were submitted at 4:30 P.M. that afternoon, which did not leave enough time for review; however, they were not complete.

Mayor Anderson opened the public hearing at 6:45 P.M. There were no comments. Mayor Anderson closed the public hearing at 6:45 P.M.

Mayor Anderson stated he understood the shortage of civil engineers in Kingman, however, the project had been going on for over two years.

Councilmember Abram stated there was a long process in place after getting a CUP, however, many buildings in town were built without issue. Councilmember Abram stated the applicants had put a lot of money into the project.

Councilmember Dean asked what would happen if the Council did not grant an extension.

Mr. Jeppson stated Mr. Bennett would have to start the process over again by applying for another CUP.

Councilmember Miles asked if the documents Mr. Bennett submitted today would be able to be resubmitted.

Mr. Jeppson stated it was hard to determine as the plans were not reviewed. Mr. Jeppson stated it would also depend on whether the building codes remained unchanged.

Mayor Anderson asked if it was easier to start the process over or grant another extension.

Mr. Jeppson stated restarting the process would require the same time frame, property owner notifications, postings and publications. Mr. Jeppson stated there was no comment made at the public hearing tonight, which was much different than the hearing in December, 2014 when multiple property owners opposed the extension.

Councilmember Carver asked if it cost money to extend the CUP.

Mr. Jeppson stated it did not as the City already spent money on publishing.

Councilmember Carver made a MOTION to APPROVE an extension of the conditional use permit. Councilmember Yocum SECONDED and it was APPROVED by a vote of 6-1 with Vice-Mayor Young voting NAY.

**d. Pavement management study**

The Street Department would like approval to hire The Barnhardt Group, a pavement management consultant, to conduct a pavement management study. Asphalt treated roads within the City Limits will be inspected and rated with a PCI (pavement condition index) and the quantity center line miles of asphalt will be established. This information will be used with a software program to outline which roads need maintenance work, the appropriate treatment, and estimated cost. **Staff recommends approval.**

Streets Superintendent Jack Plaunty displayed slides, which are included at the end of this report. Slide one was an introductory slide. On slide two Mr. Plaunty reviewed the information and stated the program could extend the life of pavement at the most cost effective price. On slide three Mr. Plaunty stated the City's pavement inventory was outdated. Mr. Plaunty reviewed slide four. On slide five Mr. Plaunty stated most chip seal labor was completed with City personnel, though some labor was contracted out during 2015 due to City staffing shortages. On slide six Mr. Plaunty stated the first part of the illustration showed the declining pavement condition. Mr. Plaunty stated the second large curve tracked major rehabilitation work and the smaller curve was preventative maintenance. Mr. Plaunty stated low cost repair was eventually not feasible due to the age of the asphalt, but the goal was to extend that date. On slide seven Mr. Plaunty stated the condition of the asphalt dictated the repair options on the decision tree. Mr. Plaunty stated the average cost for crack repair was less than \$1.00, though it was very labor intensive, while chip seal cost \$1.50 per square yard and overlays \$30 or more per square yard. On slide eight Mr. Plaunty stated well maintained roads improved the appearance of the community as well as prevented hidden costs such as damage caused by potholes and shoulder blowouts. On slide nine Mr. Plaunty stated the analysis step would consist of data collection on every road in the City. Mr. Plaunty stated the survey results would allow a PCI between 1 and 100 to be assigned to each road. Mr. Plaunty stated the goal was to have the highest realistic PCI. Mr. Plaunty stated the information would then be used to select an appropriate treatment and the lower the PCI number the higher the cost of treatment. Mr. Plaunty stated the next issue was funding and the system could help the City budget for different repair scenarios for all roads in the City limits. Mr. Plaunty stated the maintenance portion of the graphic referred to the actual work to be completed and the information gathered would tell Staff what work needed to be done and what could be completed in a year. Mr. Plaunty stated the feedback process involved taking all the gathered information and putting it back into the database to create the inventory. Mr. Plaunty stated the cycle would repeat with the new information and generate new recommendations based on that information. On slide 10 Mr. Plaunty stated the goal of preservation was to restore serviceability and prevent aging. Mr. Plaunty reviewed slide 11. On slide 12 Mr. Plaunty stated the

commitment portion of the process would require multiple departments. Mr. Plaunty stated the information would need to be updated every year. Mr. Plaunty stated the initial inventory would encompass every street in the City limits, however, once it was established one-third of the City would be completed each year. Mr. Plaunty stated training would be vital to the success of the program as well as funding. Mr. Plaunty stated the City spent \$90,000 per day on chip seal material alone during the 2015 project. Mr. Plaunty stated the City may never be able to reduce funding needs, but the road conditions would improve. Slide 13 was a conclusion slide.

Councilmember Abram asked for the overall funding impact.

Mr. Plaunty stated there was a yearly software fee of \$1,500 per year, though the first year was included in the initial startup costs. Mr. Plaunty stated the City could integrate the system into the sign inventory program, which would cost \$3,000 per year. Mr. Plaunty stated the overall estimate of the project was \$30,000 to \$50,000 per year, but it was hard to estimate because the City did not have a current inventory and that was the bulk of the expense.

Councilmember Abram asked if there were any examples of how much the program saved other communities.

Mr. Plaunty stated there was a list of communities, home owners' associations (HOA) and reservations that Staff could call and ask questions.

Councilmember Abram asked if the inventory took traffic into consideration.

Mr. Plaunty stated there was an algorithm that could be applied to the models to account for traffic. Mr. Plaunty stated the goal was to maintain a high PCI for all roads and there were indirect problems caused by roads in poor conditions even if the roads did not receive a lot of traffic.

Councilmember Miles asked about the 10 year management plan outlined in the supporting material.

Mr. Plaunty stated the system would create management plans and models based on the City's goals and PCI. Mr. Plaunty stated the City's PCI would most likely be low due to the lack of information and maintenance. Mr. Plaunty stated ample training was also included.

Vice-Mayor Young asked what the price included.

Mr. Plaunty stated it included the software, data collection and input, follow up presentation, and training.

Councilmember Miles asked why the City was receiving a 50% discount on the system.

Mr. Plaunty stated he received notification of the discount from the company and the City was one of three agencies to receive the discount. Mr. Plaunty stated the inventory and management system was a project the department intended to eventually complete and the excellent opportunity came about with the discounted price.

Councilmember Dean asked how Mr. Plaunty knew it was a discounted price if he did not have prices from other companies.

Mr. Plaunty stated Assistant Engineer Frank Marbury helped him verify it was a good price through his contacts at a pavement management association.

Councilmember Dean asked how Mr. Plaunty knew the price would not change without having a completed inventory.

Mr. Plaunty stated he back calculated the number of lane miles and rounded up. Mr. Plaunty stated the City would not be charged the full amount if the number of miles was under the estimate.

Councilmember Miles asked if bids were required.



Mr. Plaunty stated professional services did not require bids.

Mayor Anderson stated 2006 was the last time the City spent a lot of money on roads and maintenance was not performed until 2015. Mayor Anderson stated many new roads were created due to increased construction. Mayor Anderson stated road conditions were the next priority after police and fire services and he recognized that the Streets Department had not spent a lot of highway user revenue funds (HURF) this year. Mayor Anderson stated the City needed the inventory and management system, which would not include dirt roads.

Mr. Plaunty stated it was correct that the system only addressed pavement and not grading or drainage. Mr. Plaunty stated the department was working towards including those areas as the requirements for these issues were increasing and would continue to do so as the City expanded.

Councilmember Abram made a MOTION to APPROVE the contract with The Barnhardt Group to conduct a pavement management study. Councilmember Yocum SECONDED and it was APPROVED by a vote of 7-0.

## **8. REPORTS**

### **Board, Commission and Committee Reports by Council Liaisons**

Vice-Mayor Young stated it was time to reassign liaison positions.

Mayor Anderson directed Staff to create an item on the next agenda to reassign liaison positions.

## **9. ANNOUNCEMENTS BY MAYOR, COUNCIL MEMBERS, CITY MANAGER**

*Limited to announcements, availability/attendance at conferences and seminars, requests for agenda items for future meetings.*

Mr. Dougherty asked if Council wanted Staff to look into Mr. Longoria's suggestion.

Mayor Anderson said yes.

Councilmember Miles stated the Council should consider implementing some norms and protocols. Councilmember Miles stated she and Mr. Cooper were researching the topic and it would hopefully be an agenda item in the near future.

Mayor Anderson stated he would attend the rural transportation meeting next week.

## **10. EXECUTIVE SESSION**

### **a. Executive Session**

Pursuant to ARS 38-431.03(A)(4), the City Attorney requests the Council enter executive session to discuss a Notice of Claim filed by the Central Christian Church regrading the City's denial of a CUP.

Councilmember Abram made a MOTION to ENTER Executive Session. Vice-Mayor Young SECONDED and it was APPROVED by a vote of 7-0.

The Council entered Executive Session at 7:27 P.M. The Council returned from Executive Session at 8:23 P.M.

Mayor Anderson directed Staff to discuss an equitable solution with the applicant.

Councilmember Abram made a MOTION to ADJOURN. Councilmember Miles SECONDED and it was APPROVED by a vote of 7-0.

ADJOURNMENT - 8:24 P.M.

## **ADJOURNMENT**

ATTEST:

APPROVED:

\_\_\_\_\_  
Sydney Muhle  
City Clerk

\_\_\_\_\_  
Richard Anderson  
Mayor

STATE OF ARIZONA)  
COUNTY OF MOHAVE)ss:  
CITY OF KINGMAN)

CERTIFICATE OF COUNCIL MINUTES

I, Erin Roper, Deputy City Clerk and Recording Secretary of the City of Kingman, Arizona, hereby certify that the foregoing Minutes are a true and correct copy of the Minutes of the Regular Meeting of the Common Council of the City of Kingman held on January 5, 2016.

Dated this 19th day of January, 2016 .

\_\_\_\_\_  
Erin Roper, Deputy City Clerk and Recording Secretary

2008  
4-3-08

City of Kingman City Council  
Mayor and City Council  
City Of Kingman, Arizona

Dear City of Kingman City Council,

This letter is in response to actions by key city staff that appear to be in violation of our City, State and Federal laws. As a Public employee/official and a servant of the public I must follow the law. I took an Oath when I became an employee of the city( ARS 38-231 ) and I must honor it.

I submitted a complaint to the city attorney over 2 months ago .With this I submitted 30+ photographs and a 7 page report which described over 30 possible violations of Arizona and Federal Clean Water laws and 2 that even showed possible violations under the criminal code as a class 6 felony. No action was taken by the city on 90% of the issues.

It is very clear Mr. George Sedich, Mr. Jack Kramer and Mrs. Jackie Walker are very good friends, but they all fail to understand this is a Government body, not a private business.

Attempts at intimidating a public official who is performing his sworn duty by creating false accusations is punishable by a \$25,000 fine. As a public water worker and certified water operator, I find it very disturbing that a small group of city staffers has formed what can only be called a protective network that seems to operate outside our laws.

Protection of the water system is required under federal law. It's very clear that Mr.Sedich was put in his position because of friendship, but water operations is very serious requiring honest services by trained experienced staff. Mr.Sedich was promoted from purchasing...how does that qualify one to operate a class 4 Water system? He admitted to me he has never supervised workers before. Another major concern is why didn't Mr.Kramer make sure the system is operated by a class 4 operator as required and not by the current class 3 operator? Friendship is fine, but the public must get honest services.

The failure of Human resources to fulfill their obligation to train managers on the selection process is the root of this problem. If HR had done their job this whole mess would never have come up. If Mr.Cooper had done his job by simply asking a professional water expert about my concerns I would not have to file another complaint with the State Attorney Generals office as what I am seeing is a direct danger to the publics' welfare.

I reported a foreign substance in a water line in the county area to Mr.Sedich and he simply refused to have the sample tested. Why in the world would we not test ??? Look at the 7 page report carefully and you'll find some very serious items ..but who has been written up and reprimanded ...only me.

of Kingman City Council  
or and City Council  
ty Of Kingman, Arizona  
Continued...

I have never been written up in my career and to have this group act in what can only be called collusion and conspiracy to protect themselves' at the risk of the publics health simply makes me sick.

Recently I received an email from a School District #20 official who stated that Mr.Sedich told him that the Water Well(Santa Fe) which had excessive Nitrates was off and not running prior to the test and it was only turned on during the water test. According to Well log sheets Mr.Sedich did not tell the truth...the well was on prior to being tested and 2 of our operators verified that with me. Honest services must be provided to the public!

I'm sorry but the public will not be happy if this situation leaks out .I am required by law to keep it only to the public agencies involved in the investigations, but I don't control everything.

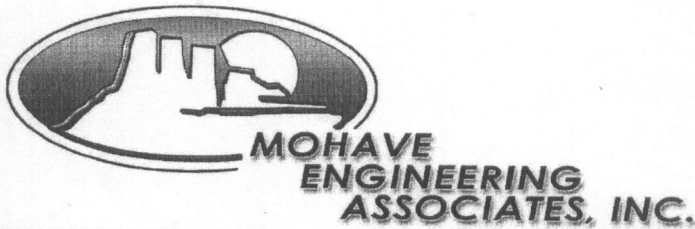
Protecting the water supply for 46,000 people outweighs any concerns I have for work relationships and I don't want to go jail for getting people sick from water borne problems. I tried to work with the internal staff but they only seem to make it worse, so I must file documents with State and Federal officials in order to provide for the general welfare of the community.

Sincerely,

Dean Wolslagel  
Water Conservation Coordinator  
City of Kingman

PS Please do not have Carl erase the tape of todays (4-4-08) meeting...it will be needed.

78



**Land Development Consultants**

*Civil Engineering  
Land Surveying  
Materials Testing*

December 29, 2015

The Honorable Richard Anderson, Mayor of Kingman  
and Members of the Kingman City Council  
Kingman City Hall  
310 N Fourth St  
Kingman, AZ 86401

RE: Hualapai Storage Units Phase II  
3442 Hualpai Mtn Rd, Kingman, AZ  
COK Project #GRD 14-0010

Dear Mayor Anderson and Members of the City Council,

The offsite street improvement and onsite grading plans for this project were approved by the City of Kingman on 06/15/15 and 04/30/15 respectively. As of the date of this letter Mohave Engineering Associates, Inc (MEAI) has not been fully compensated for the completion of these plans. Repeated attempts have been made to reconcile this account with the project developer.

Until the past due balance against the account has been resolved, these plans are considered the property of MEAI. The City of Kingman should be aware that MEAI will not authorize the use of these plans or provide required future services related to said project until payment for the completed services to date has been made.

Sincerely,



Peter Proffit, P.E.

President



# Pavement Management System

City of Kingman  
Public Works



## What Is A Pavement Preservation And Management System (PMS)?

Pavement preservation is a planned system of treating pavements to maximize the life cycle as cost effectively as possible.

- Helps to make informed decisions and budget for the work required to maintain asphalt.
- This requires completing pavement maintenance early, and proactively, to achieve the lowest maintenance cost possible.
- In short a pavement management system is Asset Management.

## Where Are We Now?

- Kingman Public Works has approximately 4 million square yards of paved roads.
- We do not have an up to date inventory of paved streets.
- We do not have a database with pavement conditions.
- The City primarily utilized a chip seal and overlay program for pavement preservation but, due to budget cuts pavement preservation was drastically cut in 2008. Two projects, in 2014 and 2015, have been completed totaling 663,464 square yards.

## Where Are We Now?

- The most recent projects were completed on a priority basis. Arterial and collector streets were completed due to the volume of traffic they carry.
- Due to the lack of funding there is a 13 year maintenance backlog of untreated roads.
- Current funding does not address the backlog of roads which require maintenance.

## Historical Asphalt Maintenance Spending

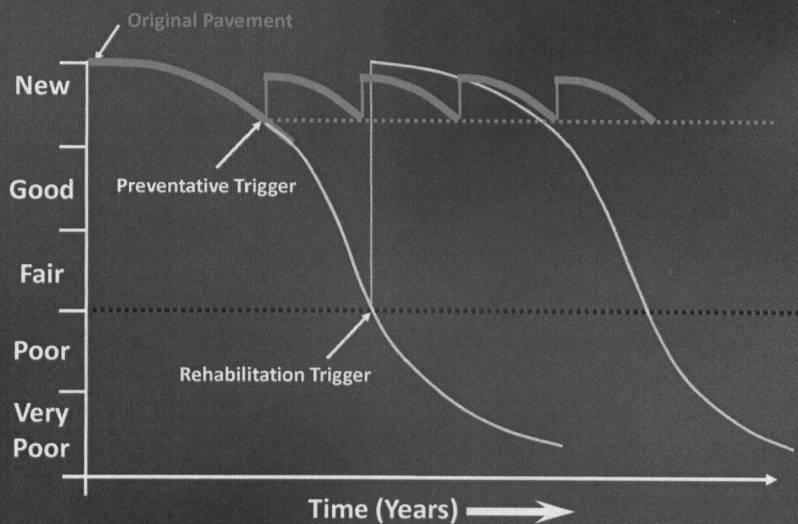


\*This includes costs for pavement preservation. Costs associated with utility cut Patching and pothole repairs are not included.

\*\*Labor costs for tasks completed by City forces are not included.

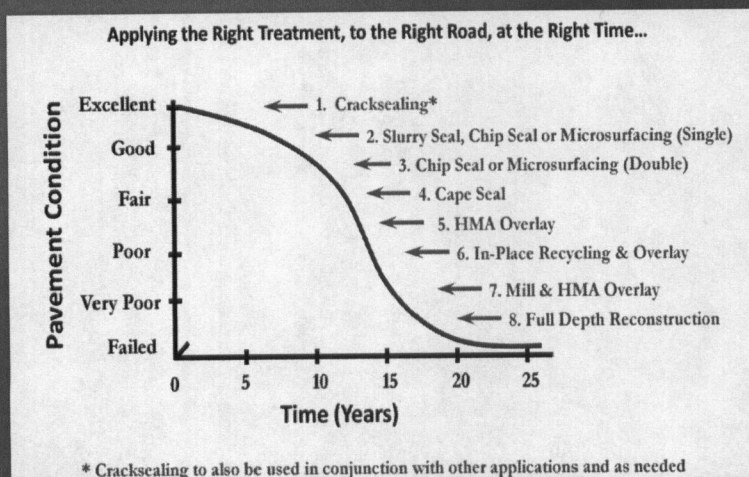
## Pavement Preservation Concept:

Maintenance keeps roads better longer than rehabilitation





## Treatment Selection Sample The "Toolbox"



\*As the PCI decreases, the cost of the treatment required to restore the asphalt condition increases.

## Benefits of A PMS

### Improved Customer Satisfaction

- Improves Level of Service.
- Keeps them (and you) happy.

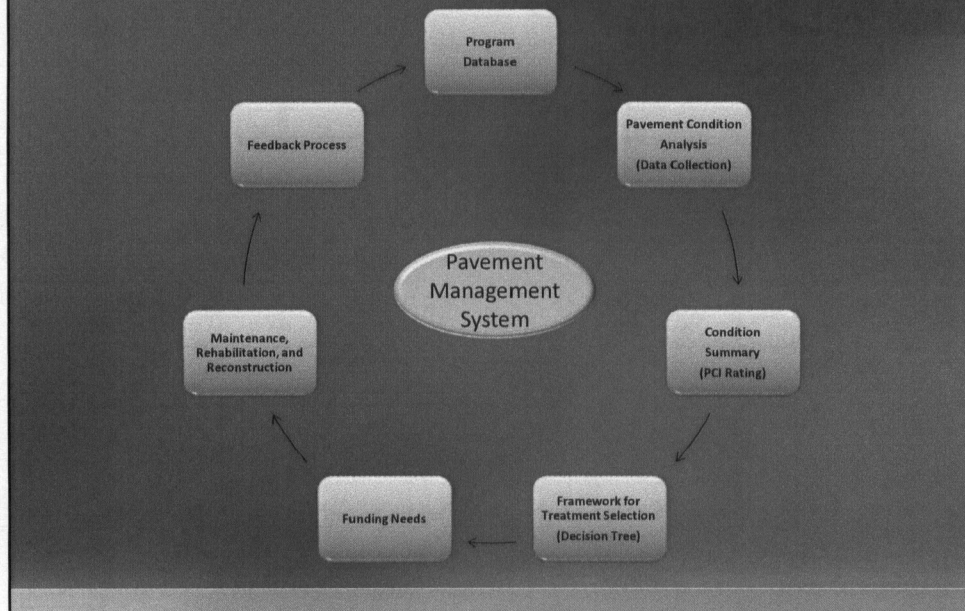
### Informed Decision Making

- The right treatment, done on the right road, at the right time.
- Maintenance can save 15% to 65% over rehabilitation and also, provides a lower life cycle cost.
- Saves them (and you) money.

### Improved Safety

- Keeps them (and you) safer.

## Elements of a Pavement Management System



## Categories of Pavement Preservation

Type of Activity	Increase Capacity	Increase Strength	Reduce Aging	Restore Serviceability
New Construction	X	X	X	X
Reconstruction	X	X	X	X
Major Rehab		X	X	X
Structural Overlay		X	X	X
Minor Rehab			X	X
Preventative Maintenance			X	X
Routine Maintenance				X
Corrective Maintenance				X
Catastrophic Maintenance				X

## How Will The Current Pavement Management Survey Proposal Help US?

### Inventory

- The Consultant will inspect and inventory every paved road within the City Limits. This will provide an accurate inventory and quantity of asphalt.

### PCI Ratings

- Current pavement condition index will allow informed decisions to be made in regards to pavement maintenance needs.

### Budgeting

- Identify maintenance and rehabilitation strategies based on the current budget or by a target driven objective. A sample of a target would be increasing your PCI to a predetermined level over a 5 year period.
- Having an accurate inventory, PCI and maintenance program will help estimate funding needs.
- Lower life cycle costs of paved streets .

### Customer Satisfaction

- Maintenance will improve the serviceability and appearance of our paved streets.

## What Will Be Required In The Future?

### Commitment

- Both long and short term commitment is required for a successful pavement management system.
- A pavement management system will require multiple departments to maintain and keep up to date.

### Annual inspection

- Annual inspection of a portion paved streets will be required to keep the database current. This is typically 1/3 of paved streets per year.

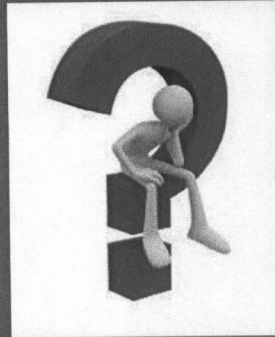
### Personnel

- Ensuring there is enough personnel to complete required pavement maintenance tasks as well as other maintenance activities.
- Training personnel in the functions and use of a pavement management system.

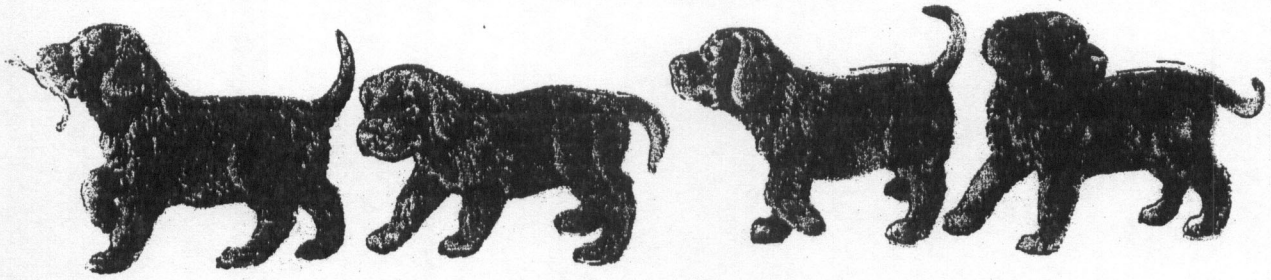
### Funding

- Money to complete required maintenance and maintain the pavement management system.





Questions?



# HAPPY

# PAWS

*Presented by Help Animals Lives Today (HALT)  
and all of the members and kind volunteers*

Fall 2015

A note from our President: Lotti B. Benker

## Hello Kingman

We are proud to inform you, that we have saved over 5.500 pets ( cats and dogs) in the last 15 years , saved from euthanasia and found them good and caring homes, thanks to all our volunteers, who have helped to display them at adoption sites, who conducted transports to southern Ca, who came to walk dogs on leashes, played with them and socialized as well.

All of these functions are vital for the success of our organization. And if we had more help, we could even save more lives Would this not be a challenge for you? If it is, please fill out a volunteer application found on our website :[www.haltaz.net](http://www.haltaz.net) And we would be happy to introduce you to our lonely pets. The more they are socialized and regain trust in mankind again – the better their chances will be for adoption.. Sometimes it takes months before a pet is ready to accept us. Would you please help us? Thank you.

According to national statistics every 10 seconds a pet will die in shelters, because it did not find a home. Please help us to change that. We cannot change the world, but we can change our own community. They say it takes a village to raise a child, I say it takes a community to band together to take care of all the lost and abandoned ( and mostly frightened) pets in their own neighborhood,

Did you know?

To spay or neuter your pet is the best solution?

If you have a stray or abandoned pet in your household after 7 days it is legally yours.

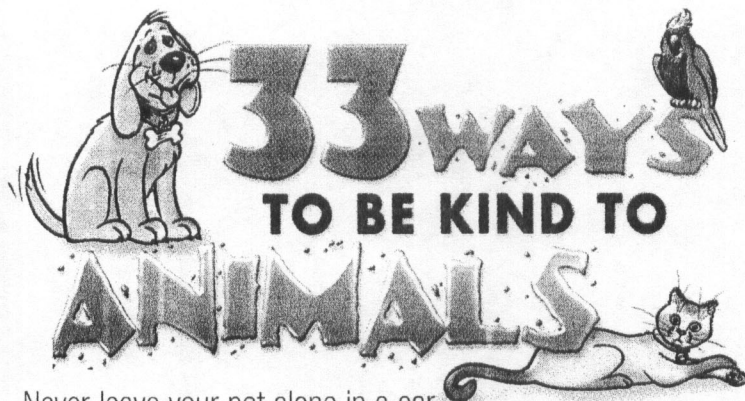
A puppy 4 months of age is required to have a rabies vaccine

If your dog ever bites a person, you have the right to choose if you want it quarantined at the local shelter or brought to your veterinarian clinic for the next 10 days for observation.

This is AZ law our local law enforcement did not know this, but arrested me and threw me in jail over night for

“interfering with the police.” Sadly the 10 week old puppy involved developed distemper at the pound and had only a very short life. His name was “Andy” I will never forget him.





# 33 WAYS TO BE KIND TO ANIMALS

Never leave your pet alone in a car

- Spay or neuter your dog or cat • Adopt pets from an animal shelter • Never kick, hit or spank a pet • Spend quality time with your pet daily • Use a non-choking collar on your dog or cat • Provide nutritious food and constant fresh water for your pets • Keep chocolate away from pets; it can poison them • Take pets for annual health exams and recommended vaccinations • Only provide toys approved for their use • Keep pets away from toxic household chemicals • Make sure they always wear up-to-date ID tags • Read books as a family about animal care • Quit smoking; secondhand smoke can cause allergies in animals • Provide pets with plenty of exercise • Make sure they have constant access to shade in the summer, heat in the winter, and a place that's always dry • Brush your dog's and cat's teeth • Groom your pet often • Never give pets any medicine without a vet's approval • Don't let pets eat string, yarn and rubber bands; they can cause an intestinal blockage • Keep your vet's office and emergency numbers handy • Learn CPR and choking rescue for pets • Volunteer to help care for a busy or elderly neighbor's pet • Be alert when driving to avoid hitting animals • Volunteer at an animal shelter • Buy from companies that don't use animals in testing • Report animal abuse to proper authorities • Report injured dogs and cats you find to an animal shelter and injured wildlife to a wildlife rehabilitation center • Pick up litter that might hurt animals • Put up a bird feeder • Never buy anything made from wild animals • Leave all wild animals, including insects, in their natural homes • Plant trees and shrubs in your back yard to make birds and other wildlife feel welcome.

Printed in the U.S.A. © The Positive Line™ #79930



**Help Animals Lives Today**  
*Please spay or neuter your Pet*

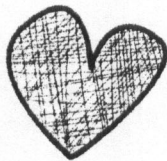
**Lotti B. Benker - President**

*Member of SAWA*  
*(Society of Animal Welfare Administrators)*

6625 Massachusetts Drive  
Kingman, AZ 86409  
Phone: 928-692-8940  
Fax: 928-692-5277

E-mail: [lottibnkr@citlink.net](mailto:lottibnkr@citlink.net)  
Website: [www.haltaz.net](http://www.haltaz.net)

# We Love Volunteers!



H.A.L.T.

an all volunteer organization,  
everything we do depends on the efforts  
of people from our community. Please  
consider helping us save lives.

## Help From Home:

- our adoptable pets on Facebook
- cute vests and other accessories to
- our pets get noticed at events

## Help In Town:

- a leash at Petco/PetSmart at our
- biweekly adoption events.
- Fundraise / Gather Donations

- Staff our rummage sales

- Foster a pet

## Help At The Sanctuary

- answer phones and help in the office

- Train and socialize pets

- Walk dogs

- Clean and care for animals

- basic maintenance and repair

- around the kennels

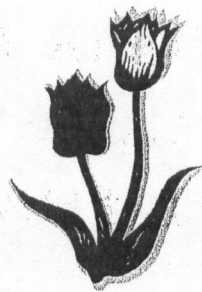
- a transport of pets to California

For more information on how you can

please call us at 928-692-8940

or a volunteer form on our website

[www.haltaz.net](http://www.haltaz.net)



To laugh often and much;  
To win the respect of intelligent  
people and affection of children;  
To earn the appreciation of  
honest critics and endure the  
betrayal of false friends;  
To appreciate beauty, to find the  
best in others, to leave the world  
a little better whether by a  
healthy child, a garden patch or  
a redeemed social condition;  
To know even one life has  
breathed easier because you  
have lived, this is to have  
succeeded.

Ralph Waldo Emerson





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Gary Jeppson

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Consideration of appointing Jan Davis to the Tourism Development Commission (TDC)

---

### **SUMMARY:**

The Tourism Development Commission has a vacancy with the expiration of the term of Commissioner Jim Baker. The Tourism Development Commission met on January 7, 2016 and recommended Jan Davis be appointed to a term from January 1, 2016 to December 31, 2018.

### **FISCAL IMPACT:**

None

### **STAFF RECOMMENDATION:**

Staff recommends the appointment of Jan Davis

### **ATTACHMENTS:**

Description

Jan Davis Application

### **REVIEWERS:**

Department	Reviewer	Action	Date
Development Services	Jeppson, Gary	Approved	1/7/2016 - 10:10 AM
City Attorney	Cooper, Carl	Approved	1/8/2016 - 4:51 PM
City Manager	Dougherty, John	Approved	1/12/2016 - 2:21 PM



CITY OF KINGMAN  
BOARDS AND COMMISSIONS APPLICATION

15 DEC 4 16:35 05s

OR MEMBERSHIP ON THE TOURISM DEVELOPMENT COMMISSION  
Estimated hours per month you can devote to this group: \_\_\_\_\_

Name JAN DAVIS Home Phone # \_\_\_\_\_  
Address 1835 MOTOR AVE, KINGMAN, AZ Alternative Phone # 928-486-3268  
Zip Code 86401  
Email KARILYN@CITLINK.NET Resident Located in -  
Kingman City Limits ☒  
Mohave County ☐

Length of Residency 18 YRS Are you a registered voter? Yes ☒ No \_\_\_\_\_

If asked, I would be willing to serve on another board or Commission. Yes \_\_\_\_\_ No ☒  
List other boards or commissions interested in: \_\_\_\_\_

List your educational background. HIGH SCHOOL GRAD, 24RS COLLEGE

Please state your occupational background as it relates to the board or commission you are applying for beginning with your current occupation and employer.

DIRECTOR OF OPERATIONS, HISTORIC RT66 ASSOCIATION OF AZ  
RETIRED FEDERAL EMPLOYEE - SECRETARY - 27 YRS SERVICE

Describe your involvement in the Kingman community. BOARD OF DIRECTORS, KINGMAN  
AREA CHAMBER OF COMMERCE

TOURISM COMMITTEE

KINGMAN VISITOR CENTER BOARD OF DIRECTORS @ GRACE LUTHERAN

Describe your leadership roles and/or any special expertise you have which would be applicable to the position for which you are applying. CHURCH COUNCIL

DIRECTOR OF OPERATIONS FOR HISTORIC RT 66 ASS'N OF AZ RESPONSIBLE  
FOR MANAGEMENT OF THE GIFT SHOP, SUPERVISION OF 3 PARTTIME  
EMPLOYEES, MAINTAIN MEMBERSHIP, AND ORGANIZING ANNUAL FUN RUN  
HAIRPERSON OF AMBASSADOR COMMITTEE, WHICH HOSTED THE CHAMBER  
OF COMMERCE ANNUAL WINE AND CHEESE.

5. Describe why you are interested in serving in this position. I HAVE BEEN IN THE TOURISM BUSINESS FOR 10 YRS AND FEEL I HAVE KNOWLEDGE AND EXPERTISE IN THIS AREA. IT IS OUR LIVELIHOOD IN KINGMAN

6. If you are appointed to any of the boards or commissions you have listed interest in, please list potential conflicts of interest. Explain: NONE THAT I'M AWARE OF

Appointment to this board, commission or advisory committee will require your consistent attendance at regularly scheduled meetings. Please note the times below for each Board or Commission. All meetings are held at the Council Chambers, 310 N. 4<sup>th</sup> Street, Kingman.

Board of Adjustment	As Needed
Building Board of Appeals	As Needed
Business License Review Board	As Needed
Clean City Commission	3rd Thursday/Monthly @ 5:00PM
Economic Development Marketing Commission	2nd Wednesday/Monthly @ 7:30 AM
Golf Course Advisory Committee	3rd Wednesday/odd months @ 4:30PM
Historical Preservation Commission	4th Tuesday/odd months @ 5:30PM
Industrial Development Board	As Needed
Local Public Safety Personnel Retirement Board	As Needed
Municipal Property Corporation	As Needed
Municipal Utilities Commission	4th Thursday/Monthly @ 5:30 PM
Parks & Recreation Commission	3rd Wednesday/odd months @ 6:00PM
Personnel Board	As Needed
Planning & Zoning Commission	2nd Tuesday/Monthly @ 6:00PM
Tourism Development Commission	1st Thursday/Monthly @ 7:30AM
Transit Advisory Commission	2nd Tuesday/1st month of Quarter @10:00

This application is subject to the Arizona Open Records law and should not be considered confidential.

Signature of Applicant John Davis Date 12/3/15

Please return this application to:

City of Kingman

City Clerk's Office

Fax (928) 753-6867

310 North Fourth Street

Kingman, AZ 86401

For further information, please call: City Clerk's office at (928) 753-5561.

*Thank you for taking the time to fill out this application. Volunteers play a vital role in the City of Kingman government. We appreciate your interest.*



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** John Dougherty, City Manager

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Consideration of appointing Economic Development and Marketing Commission (EDMC) members

---

### **SUMMARY:**

The EDMC has two vacant terms that expire December, 2017. On January 13, 2016 the EDMC voted 5-0 to recommend appointing Alasandra Reynolds and Burt Dubin to fill the two vacant terms.

### **FISCAL IMPACT:**

None

### **STAFF RECOMMENDATION:**

Staff recommends approval

### **ATTACHMENTS:**

Description

EDMC Applications

### **REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	1/14/2016 - 12:39 PM



CITY OF KINGMAN  
BOARDS AND COMMISSIONS APPLICATION

FOR MEMBERSHIP ON THE Economic Development/Marketing Commission  
Estimated hours per month you can devote to this group: \_\_\_\_\_

Name Alexandra Reynolds Home Phone # [REDACTED]  
Address [REDACTED] Alternative Phone # cell  
Zip Code 86401  
Email [REDACTED].com

Resident Located in -  
Kingman City Limits ☒  
Mohave County ☒

Length of Residency 25 years Are you a registered voter? Yes ☒ No ☐

If asked, I would be willing to serve on another board or Commission. Yes ☒ No ☐

List other boards or commissions interested in:

Tourism Development Commission

1. List your educational background. B.A. Education/English Communication  
Michigan State University Arts

Graduate of the Real Estate Institute and  
Certified Residential Specialist and Commercial R.E.  
Classes.

2. Please state your occupational background as it relates to the board or commission you are applying for beginning with your current occupation and employer.

I currently hold an active R.E. Broker's license  
Although I am not actively working. I have had exten-  
sive experience in marketing and negotiating while  
operating and managing several different R.E. offices

3. Describe your involvement in the Kingman community. I have served on the  
Power House board and City Planning and zoning.  
I have worked thru the chairs in several  
community organizations

4. Describe your leadership roles and/or any special expertise you have which would be applicable to the position for which you are applying.

As Broker, principal operator and manager of several  
real estate offices, I have developed and managed  
a staff of successful sales people. This requires the  
ability to educate, motivate, and supervise  
the entire staff

5. Describe why you are interested in serving in this position. I have 25 yrs, of business experience in the Kingman Area. One of the most important skills in sales is to listen. I know what businesses need and
6. If you are appointed to any of the boards or commissions you have listed interest in, please list (below) potential conflicts of interest. Explain: None

Appointment to this board, commission or advisory committee will require your consistent attendance at regularly scheduled meetings. Please note the times below for each Board or Commission. All meetings are held at the Council Chambers, 310 N. 4<sup>th</sup> Street, Kingman.

Board of Adjustment	As Needed
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Historical Preservation Commission	4th Tuesday/odd months @ 5:30PM
Industrial Development Board	As Needed
Local Public Safety Personnel Retirement Board	As Needed
Municipal Property Corporation	As Needed
Municipal Utilities Commission	4th Thursday/Monthly @ 5:30 PM
Parks & Recreation Commission	3rd Wednesday/odd months @ 6:30PM
Personnel Board	As Needed
Planning & Zoning Commission	2nd Tuesday/Monthly @ 6:00PM
Tourism Development Commission	1st Thursday/Monthly @ 7:30AM
Transit Advisory Commission	2nd Tuesday/1 <sup>st</sup> month of Quarter @10:00

This application is subject to the Arizona Open Records law and should not be considered confidential.

Signature of Applicant [Signature] Date 10/26/12

Please return this application to:

City of Kingman  
City Clerk's Office  
310 North Fourth Street  
Kingman, AZ 86401

Fax (928) 753-6867

For further information, please call: City Clerk's office at (928) 753-5561.

Thank you for taking the time to fill out this application. Volunteers play a vital role in the City of Kingman government. We appreciate your interest.

can help with what others are looking for. I am organized, business oriented, tenacious, and interested in helping Kingman move forward with economic development. I would like to see us go all the way to the finish in the America's Best Communities competition





CITY OF KINGMAN  
BOARDS AND COMMISSIONS APPLICATION

FOR MEMBERSHIP ON THE

P + Z

15 DEC 9 10:11 13

Estimated hours per month you can devote to this group: 10

Name BURT DUBIN

Home Phone # [REDACTED]

Address [REDACTED]

Alternative Phone # [REDACTED]

Zip Code 86401

Email [REDACTED]@COM

Resident

☒ Yes

☐ No

Length of Residency 25 YEARS

Are you a registered voter?

☒ Yes

☐ No

If asked, I would be willing to serve on another board or Commission.

☒ Yes

☐ No

List other boards or commissions interested in:

ECONOMIC DEVELOPMENT

1. List your educational background.

SOME COLLEGE

MANY COURSES CONCERNING THE HUMAN CONDITION

2. Please state your occupational background as it relates to the board or commission you are applying for beginning with your current occupation and employer.

NONE

SIMPLY A SENSITIVITY TO BEING A  
GOOD CITIZEN

3. Describe your involvement in the Kingman community.

NONE UP TO NOW

4. Describe your leadership roles and/or any special expertise you have which would be applicable to the position for which you are applying.

A DEEP CONCERN FOR THE HUMAN CONDITION -  
PLUS A DESIRE FOR BETTERMENT OF KINGMAN

5. Describe why you are interested in serving in this position.

I AM MOSTLY RETIRED AND HAVE THE TIME  
AND THE CIVIC CONCERN

6. If you are appointed to any of the boards or commissions you have listed interest in, please list potential conflicts of interest. Explain:

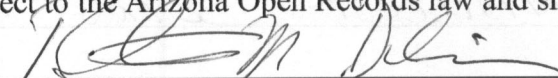
NONE - BUSTLOOSE.NET  
SEE BURT DOBIN.COM  
I AM AN AUTHOR I WRITE ABOUT THE PROCESS  
OF BECOMING THE POSSIBLE HUMAN

Appointment to this board, commission or advisory committee will require your consistent attendance at regularly scheduled meetings. Please note the times below for each Board or Commission. All meetings are held at the Council Chambers, 310 N. 4<sup>th</sup> Street, Kingman.

Board of Adjustment	As Needed
Building Board of Appeals	As Needed
Business License Review Board	As Needed
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Golf Course Advisory Committee	3rd Wednesday/odd months @ 4:30PM
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Local Public Safety Personnel Retirement Board	As Needed
Municipal Property Corporation	As Needed
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Parks & Recreation Commission	3rd Wednesday/odd months @ 6:30PM
Personnel Board	As Needed
Planning & Zoning Commission	2nd Tuesday/Monthly @ 6:00PM
Tourism Development Commission	1st Thursday/Monthly @ 7:30AM
Transit Advisory Commission	2nd Tuesday/1st month of Quarter @10:00

This application is subject to the Arizona Open Records law and should not be considered confidential.

Signature of Applicant



Date

8 December 2015

Please return this application to:

City of Kingman

City Clerk's Office

310 North Fourth Street

Kingman, AZ 86401

Fax (928) 753-6867

For further information, please call: City Clerk's office at (928) 753-5561.

*Thank you for taking the time to fill out this application. Volunteers play a vital role in the City of Kingman government. We appreciate your interest.*





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Sydney Muhle, City Clerk

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Discussion and appointment of Council Liaisons to City of Kingman Boards and Commissions

---

**SUMMARY:**

**FISCAL IMPACT:**

**STAFF RECOMMENDATION:**

Appoint 2016 Council Liaisons to City of Kingman Boards and Commissions.

**ATTACHMENTS:**

Description  
Council Board Liaisons

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	1/14/2016 - 5:19 PM

## CITY COUNCIL REPRESENTATION ON BOARDS AND COMMISSIONS

BOARD/COMMISSION	MEETING DATE & TIME	2015	2016
Board of Adjustment	meets as called	Miles	
Building Board of Appeals	meets as called	Carver	
Business License Review Board	meets as called	Wimpee	
Clean City Commission	3rd Thursday, 5 p.m.	Yocum	
Economic Development Marketing Commission	2nd Wednesday, 7:30 a.m.	Young	
Golf Course Advisory Commission	3rd Wednesday, Feb, May, Aug, Nov, 4:30 p.m.	Carver	
Historic District Design Review	meets as called	Miles	
Historic Preservation	4th Tuesday, Feb, May, Aug, Nov, 5:30 p.m.	Wimpee	
Industrial Development Board	meets as called	Abram	
Kingman Airport Authority	3rd Thursday, 5 p.m.	Anderson	
Local Public Safety Retirement Board	meets as called	Anderson	
Municipal Property Corporation	meets as called	Yocum	
Municipal Utilities Commission	4th Thursday, 5:30 p.m. (3rd Thursday in Nov & Dec, 6 p.m.)	Miles	
Parks & Recreation Commission	3rd Wednesday, Feb, May, Aug, Nov, 6 p.m.	Yocum	
Planning & Zoning Commission	2nd Tuesday, 6 p.m.	Abram	
Tourism Development (TDC)	1st Thursday, 7:30 a.m.	Carver	
Transit Advisory Commission	3rd Wednesday, Jan, Apr, Jul, Oct, 10 a.m.	Young	
WACOG Advisory Committee	Quarterly	Wimpee	
WACOG Executive Committee	Quarterly	Anderson	
Youth Advisory Commission	1st Thursday, 6:00 p.m.	Abram	



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Sydney Muhle, City Clerk

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Discussion and appointment of Council Liaison for the Western Arizona Council of Governments (WACOG) Executive Committee

---

**SUMMARY:**

**FISCAL IMPACT:**

**STAFF RECOMMENDATION:**

Appoint 2016 WACOG liaisons.

**ATTACHMENTS:**

Description

Council Board Liaisons

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	1/14/2016 - 5:17 PM

## CITY COUNCIL REPRESENTATION ON BOARDS AND COMMISSIONS

BOARD/COMMISSION	MEETING DATE & TIME	2015	2016
Board of Adjustment	meets as called	Miles	
Building Board of Appeals	meets as called	Carver	
Business License Review Board	meets as called	Wimpee	
Clean City Commission	3rd Thursday, 5 p.m.	Yocum	
Economic Development Marketing Commission	2nd Wednesday, 7:30 a.m.	Young	
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Historic District Design Review	meets as called	Miles	
Historic Preservation	4th Tuesday, Feb, May, Aug, Nov, 5:30 p.m.	Wimpee	
Industrial Development Board	meets as called	Abram	
Kingman Airport Authority	3rd Thursday, 5 p.m.	Anderson	
Local Public Safety Retirement Board	meets as called	Anderson	
Municipal Property Corporation	meets as called	Yocum	
Municipal Utilities Commission	4th Thursday, 5:30 p.m. (3rd Thursday in Nov & Dec, 6 p.m.)	Miles	
Parks & Recreation Commission	3rd Wednesday, Feb, May, Aug, Nov, 6 p.m.	Yocum	
Planning & Zoning Commission	2nd Tuesday, 6 p.m.	Abram	
Tourism Development (TDC)	1st Thursday, 7:30 a.m.	Carver	
Transit Advisory Commission	3rd Wednesday, Jan, Apr, Jul, Oct, 10 a.m.	Young	
WACOG Advisory Committee	Quarterly	Wimpee	
WACOG Executive Committee	Quarterly	Anderson	
Youth Advisory Commission	1st Thursday, 6:00 p.m.	Abram	



## CITY OF KINGMAN COMMUNICATION TO COUNCIL

**TO:** Honorable Mayor and Common Council

**FROM:** Jake Rhoades, Fire Chief

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Promotion badge pinning/employee introduction

---

### **SUMMARY:**

The fire department has promoted and / or hired numerous positions in the last couple of months. The promotional and hiring processes are complete and the official badge pinning and introduction of fire department employees to city council and the community.

The fire department would like to conduct badge pinning for the following ranks:

Oscar Lopez	Fire Prevention Specialist	11/9/2015
Justin Garcia	Firefighter	7/29/2015
Brett Wildebaur	Firefighter	10/19/2015
Cody Wood	Firefighter	10/19/2015
Robert Cole	Firefighter	1/5/2016
Chris Chavez	Firefighter	12/26/2015
Chris Angermuller	Battalion Chief – Training	1/4/2016
Len Dejoria	Battalion Chief – Prevention	10/12/2015
Andrew Rucker	Battalion Chief – Operations	10/5/2015
Dan Winder	Battalion Chief - EMS	10/19/2015
Chris Simpson	Captain	12/27/2015
Joey Meins	Captain	12/27/2015

### **FISCAL IMPACT:**

There is no fiscal impact as all positions are within the departments allotted FTE.

### **STAFF RECOMMENDATION:**

The staff recommends approval.

### **REVIEWERS:**

Department	Reviewer	Action	Date
Fire Department	Rhoades, Jake	Approved	1/4/2016 - 12:04 PM
City Attorney	Cooper, Carl	Approved	1/4/2016 - 2:22 PM
City Manager	Dougherty, John	Approved	1/4/2016 - 1:06 PM



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Lee Hocking, Assistant City Attorney

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Consideration of Ordinance 1810R: permitting substitution of livestock allowances on properly zoned properties and clarifying pig and bird allowances

---

### **SUMMARY:**

Section 3-22 of the Kingman Code of Ordinances has been modified to permit livestock substitutions on properly zoned properties. The language has additionally been clarified to improve uniformity throughout the Ordinance. The language has further been clarified to resolve ambiguities with regards to birds which has caused enforcement difficulties in the past for the Kingman Police Department. It is anticipated that the clarification will reduce or eliminate these difficulties. This revised ordinance corrects the language from the last Council meeting that banned "chickens" in the City limits.

### **FISCAL IMPACT:**

None.

### **STAFF RECOMMENDATION:**

Staff recommends approval.

### **ATTACHMENTS:**

Description

Ordinance No. 1810R

### **REVIEWERS:**

Department	Reviewer	Action	Date
City Attorney	Cooper, Carl	Approved	1/13/2016 - 1:29 PM
City Attorney	Cooper, Carl	Approved	1/13/2016 - 1:30 PM
City Manager	Dougherty, John	Approved	1/13/2016 - 6:54 PM

CITY OF KINGMAN

ORDINANCE NO. 1810R

**AN ORDINANCE BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA, AMENDING CHAPTER 3 OF THE CITY OF KINGMAN CODE OF ORDINANCES BY PERMITTING SUBSTITUTION OF LIVESTOCK ALLOWANCES ON PROPERLY ZONED PROPERTIES, AND BY CLARIFYING PIG AND BIRD ALLOWANCES**

**WHEREAS**, the Mayor and Common Council has determined that the public health, safety, and welfare will be promoted by modifying the following provision to the City of Kingman Code of Ordinances;

**NOW THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the City of Kingman, Arizona as follows:

**SECTION 1** Chapter 3, Article II, Section 3-22 of the Code of Ordinances of the City of Kingman, is created by adding text to read as follows:

Sec. 3-22 Number of pets per residence.

(a) On residential lots under forty thousand (40,000) square feet, the number of dogs over the age of four (4) months shall be limited to three (3) per residence. The number of cats over the age of four (4) months shall be limited to three (3) per residence. The total number of dogs, cats, and pot-bellied pigs, **OR ANY COMBINATION THEREOF**, over the age of four (4) months shall not exceed three (3) per residence.

(b) On residential lots of forty thousand (40,000) square feet or greater, the number of dogs over the age of four (4) months shall be limited to four (4) per residence. The number of cats over the age of four (4) months shall be limited to four (4) per residence. The total number of dogs, cats and potbellied pigs, **OR ANY COMBINATION THEREOF**, over the age of four (4) months shall not exceed four (4) per residence.

(c) One (1) pot-bellied pig **OVER THE AGE OF FOUR (4) MONTHS** may be allowed on a residential lot ~~OF~~ at least five thousand (5,000) square feet. One (1) additional pot-bellied pig **OVER THE AGE OF FOUR (4) MONTHS** may be allowed for each additional five thousand (5,000) square feet of lot area, ~~not to exceed~~ **UP TO A LIMIT OF** three (3) pot-bellied pigs **OVER THE AGE OF FOUR (4) MONTHS**.

(d) On residential lots under forty thousand (40,000) square feet, the number of birds shall not exceed twelve (12); ~~poultry are prohibited~~. **THE FOLLOWING BIRDS ARE PROHIBITED ON RESIDENTIAL LOTS UNDER FORTY THOUSAND (40,000) SQUARE FEET REGARDLESS OF WHETHER THEY ARE BEING KEPT FOR MEAT, EGGS AND/OR AS PETS: ALL MEMBERS OF THE ORDER GALLIFORMES, INCLUDING BUT NOT LIMITED TO CHICKENS, PHEASANTS AND TURKEYS; ALL MEMBERS OF THE ORDER ANSERIFORMES, INCLUDING BUT NOT LIMITED TO DUCKS, SWANS AND GEESE; ALL MEMBERS OF THE ORDER CASUARIIFORMES, INCLUDING BUT NOT LIMITED TO EMUS; AND, ALL MEMBERS OF THE ORDER STRUTHIONIFORMES, INCLUDING BUT NOT LIMITED TO OSTRICHES.** On residential ~~property~~ **LOTS** forty thousand (40,000) square feet or greater, the number of birds ~~or fowl~~ shall not exceed thirty-six (36).

(e) On residential lots forty thousand (40,000) square feet or greater there may be one (1) horse permitted per every twenty thousand (20,000) square feet of lot area.

(f) On residential lots forty thousand (40,000) square feet or greater there may be one (1) cow, ~~goat~~ or other hoofed animal, other than a horse, **GOAT, SHEEP** or pot-bellied pig, for each forty thousand (40,000) square feet of lot area up to a maximum of four (4) such animals.

**(G) ON RESIDENTIAL LOTS FORTY THOUSAND (40,000) SQUARE FEET OR GREATER, TWO (2) GOATS OR SHEEP, OR ANY COMBINATION THEREOF, MAY BE SUBSTITUTED FOR ONE (1) HORSE UP TO A LIMIT OF FOUR (4) GOATS OR SHEEP, OR ANY COMBINATION THEREOF, FOR EVERY FORTY THOUSAND (40,000) SQUARE FEET OF LOT AREA.**

**SECTION 2** Penalties for violation of Chapter shall be in accordance with Section 1-8 of the Code of Ordinances for the City of Kingman.

**SECTION 3** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona, on the \_\_\_\_\_ day of \_\_\_\_\_, 2016.

ATTEST:

APPROVED:

\_\_\_\_\_  
Sydney Muhle, City Clerk

\_\_\_\_\_  
Richard Anderson, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Carl Cooper, City Attorney





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Leonard DeJoria

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Letter of appointment

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### **SUMMARY:**

This is a Letter of Appointment from the Office of the State Fire Marshal for your review and approval. With approval, the designee from the Kingman Fire Department will be authorized by the State of Arizona to inspect state owned, leased, or otherwise occupied buildings for fire code compliance. This is a conversion from the current Memorandum of Understanding to a Letter of Appointment from the Department of Fire, Building and Life Safety, Arizona State Fire Marshal's Office. The LOA appoints one (1) person, who meets the standards required by the A.R.S. Statute 41-2162 (A) (2), to act as Assistant Fire Marshal for the State Fire Marshal's Office. This appointment will be for Battalion Chief - Prevention Len DeJoria who will perform the duties delegated by the OSFM.

### **FISCAL IMPACT:**

There is no fiscal impact to this Letter of Appointment.

### **STAFF RECOMMENDATION:**

Staff recommends Council approves the Letter of Appointment for Battalion Chief - Prevention Len DeJoria.

### **ATTACHMENTS:**

Description

Letter of Appointment

### **REVIEWERS:**

Department	Reviewer	Action	Date
Fire Department	Rhoades, Jake	Approved	12/30/2015 - 6:11 PM
City Attorney	Cooper, Carl	Approved	12/31/2015 - 12:08 PM
City Manager	Dougherty, John	Approved	12/30/2015 - 7:01 PM

**DOUGLAS A. DUCEY**  
Governor



**DEBRA BLAKE**  
Interim Director

## **DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY**

**1110 WEST WASHINGTON, SUITE 100  
PHOENIX, ARIZONA 85007  
602) 364-1003  
(602) 364-1052 FAX**

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OFFICE OF ADMINISTRATION \* OFFICE OF MANUFACTURED HOUSING \* OFFICE OF STATE FIRE MARSHAL

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November 3, 2015

To: All MOU Partners  
From: The Department of Fire, Building and Life Safety, Arizona State Fire Marshal's Office  
Re: The Memorandum of Understanding (MOU) conversion to the Letter of Appointment (LOA)

Greetings!

My name is Amy Sauer and on behalf of the State Fire Marshal's Office (OSFM), it is my pleasure to announce the conversion of the Memorandum of Understanding ("MOU") to the newly developed Letter of Appointment ("LOA"). I will be the liaison for this new program and look forward to interacting with you. Although there are many fundamental differences between MOU and LOA, LOA will essentially function in the same manner. The LOA is in a simpler format and can be enacted in a more timely fashion.

*Like the MOU*, the LOA appoints one person, who meets the standards required by the A.R.S. Statute § 41-2162 (A) (2), to act as Assistant Fire Inspector for the State Fire Marshal's Office and then allows that person to appoint Associate Inspectors within their jurisdiction to help complete the tasks set forth in our statutes.

*Unlike the MOU*, the Appointment Letter does not have an expiration date and allows for either party to terminate the agreement with a prior sixty (60) day written notice. Also, the new quarterly reporting method will be easier to understand and more efficient. New reporting forms and guidelines will be outlined and provided with the official LOA.

This is an invitation to continue your partnership with our office. We hope you consider this partnership to be as beneficial as we do. Please review the *sample* LOA document and if you decide to continue your agreement with this office, please sign and return the Letter of Appointment Nomination Form. If you decide not to continue with this partnership, please return the Declaration of Expiration to this office and the OSFM will resume our responsibilities in your jurisdiction, sixty (60) days after the date of your signature. These documents need to be returned to this office within twenty (20) days after the date of receipt. Once I have received these forms, I will return official copies of the LOA to be signed and then returned to our office.

If during our time of transition, your entity had a change of responsible party for the MOU program or you would like to nominate someone else at this time, please do so on the Nomination Form and check the box that indicates a change of responsible party.

On behalf of our office I would like to thank you for your patience during our time of transition and I look forward to working with you.

Sincerely yours,

A handwritten signature in blue ink that reads "Amy Sauer".

Amy Sauer  
Local Jurisdiction Liaison

DOUGLAS A. DUCEY  
Governor



DEBRA BLAKE  
Interim Director

DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY

LETTER OF APPOINTMENT  
NOMINATION ACCEPTANCE

I, Leonard T. DeToria, of Kingman Fire Department  
(Name of Person Accepting this Appointment) (Jurisdiction of Appointee)

☐

(Please check here if this is a *change of Responsible Party*)

have reviewed the proposal and it is my intention to accept the Appointment of Deputy Fire Inspector by the Arizona State Fire Marshal's Office. I understand that I will be the sole responsible party for my Jurisdiction and any Deputies appointed under my direction must meet the qualifications as prescribed in A.R.S. § 41-2162 (A) (2). I also understand that I may resign this appointment at any time with a sixty (60) day notification. I understand that the official Letter of Appointment will follow this for my review. After my review and agreement, I will sign and return both copies of the Letter of Appointment.

Signed by me,

Leonard T. DeToria (Printed Name)

LT DeToria (Signature)

12-28-2015 (Date)

**DOUGLAS A. DUCEY**  
Governor



**DEBRA BLAKE**  
Interim Director

**DEPARTMENT OF FIRE, BUILDING AND LIFE SAFETY**

**LETTER OF APPOINTMENT  
DECLARATION OF EXPIRATION**

I, \_\_\_\_\_, of \_\_\_\_\_,  
(Name of Jurisdiction Representative) (Jurisdiction)

☐

*(Please check here if the person signing this form is different than the previous appointee)*

have reviewed the proposed Letter of Appointment and officially declare this the Expiration of Previous Jurisdictional Partnership. I understand that our jurisdiction will *no longer* be participating in any type of partnership with the Office of the Arizona State Fire Marshal. I understand our office can no longer conduct Life Safety Inspections, Construction Plan Reviews, or Fire Safety Education Classes on behalf of the State Fire Marshal's Office. I understand any buildings that fall under the jurisdiction of the State Fire Marshal will now go back to the *sole* responsibility of the State Fire Marshal. I understand this becomes effective sixty (60) days after receipt of this letter to the Office of the State Fire Marshal.

Signed by me,

\_\_\_\_\_  
(Printed Name)

\_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Date)

*(This is a Sample Document – For Review Only)*

***Letter of Appointment of***  
\_\_\_\_\_ of  
\_\_\_\_\_

*Pursuant to Arizona Revised Statutes §41-2162 (A) (2), the Office of the State Fire Marshal (OSFM) with the approval of the Director, Appoints \_\_\_\_\_, (title here) for \_\_\_\_\_, as an Assistant Fire Inspector for the Office of the State Fire Marshal to act within the area of \_\_\_\_\_'s local jurisdiction.*

A.R.S. § 41-2162 is attached. It *must be reviewed* by the appointee, *signed in acknowledgement* and *returned* for an authorized OSFM signature and seal.

The duties of the OSFM now delegated to the appointee of this letter will include:

- The review of plans for construction, remodeling, alterations and additions (collectively referred to as "plans") of State, County and Public School buildings and their grounds [A.R.S. § 41-2163 (C)] and the inspections performed in conjunction therewith.
- To conduct regularly scheduled fire safety inspections of all public, charter and private schools, as well as the State, County and Public buildings.
- To conduct Fire Safety Education classes on behalf of the OSFM.

The inspections must be conducted on behalf of the OSFM using the State Fire Code adopted by the State Fire Safety Committee.

Any costs incurred to implement this partnership shall be borne by \_\_\_\_\_. Fees may be collected for all fire prevention activities as permitted by A.R.S. § 41-2163 (C).

There are also limitations to this appointment and they are as follows: This appointment does not grant the authority to inspect the installation of removal of underground fuel storage tanks. Underground Storage Tank Systems remains the *sole* authority and responsibility of the OSFM as granted by the Arizona Department of Environmental Quality (ADEQ). OSFM recognizes that some jurisdictions have a separate agreement to perform such inspections for ADEQ.

Also, by accepting this appointment, the appointee agrees to submit quarterly reports, using the method(s) designated by the OSFM. This report includes but is not entirely limited to; lists of construction inspections, life safety inspections, complaints and public education classes performed. If this report is not filed on a regular basis, this agreement may be terminated by the OSFM. Additionally, you must return a Map of your Jurisdiction showing its boundaries and an updated fee schedule.

The appointee of this agreement and the entity of which they represent, may be subject to periodic audits by the OSFM. Records retention should be for the period required by law for each type of inspection.

Under this appointment, \_\_\_\_\_, may appoint other Assistant Fire Inspectors who meet the prescribed requirements, to act in the same capacity in the same jurisdiction. The names of these individuals and their qualifications per A.R.S. § 41-2162 (C) must accompany this letter on the attached form. Both of these must be returned to the Office of the State Fire Marshal for approval. Upon that approval, the date this letter is signed by an authorized signer of the OSFM, this Letter of Appointment will go into effect and remain in effect until such time as it is terminated. Termination may be initiated by either party and will become effective sixty days after written notification is received. If the Assistant Fire Inspector whom is appointed, no longer serves with the entity he or she represents, a notice must be given to the OSFM. A new Letter of Appointment may be issued to their replacement. A hard copy with original signatures will be retained by both offices and distributed by the OSFM.

***\*\*Note: Any changes regarding this appointment must be submitted in writing to the Office of the State Fire Marshal immediately for approval.***

41-2162. Deputy fire marshals and assistants; appointment; duties; recovery of costs

A. The state fire marshal may, with the approval of the director:

1. Hire deputy fire marshals who shall have knowledge in the field of fire safety and have at least five years' experience in fire safety and hire such other assistants and employees as are necessary to properly discharge the duties imposed on the state fire marshal pursuant to this article.
2. Appoint as assistant fire inspectors any of the fire chiefs of a city, town, county, volunteer fire company or protective district or an employee of a private fire service provider who meets the requirements of this section to act within their area of jurisdiction or area of service or on the recommendation of the fire chief appoint other assistant fire inspectors if needed to function within the jurisdiction.
3. Appoint other assistant fire inspectors who meet the requirements of this section as are necessary in areas that are not under the jurisdiction of a fire chief designated in paragraph 2 who may be employees of this state, the federal government or a private fire service provider.

B. Assistant fire inspectors appointed pursuant to subsection A shall carry out their duties only within the geographic areas assigned by the state fire marshal. When designating assistant fire inspectors and when assigning geographic areas, the state fire marshal shall give a preference to assigning assistant fire inspectors to the service area covered by the municipal or private fire service provider where the assistant fire inspector is employed.

C. Assistant fire inspectors appointed under subsection A, paragraph 2 or 3 are not entitled to receive additional compensation for performing duties under this article, except that an employee of a public or private fire service provider who acts as an assistant fire inspector may charge fees to recover costs incurred in conducting inspections or for the review of plans and inspections of property. Assistant fire inspectors appointed under subsection A, paragraph 2 or 3 or fire inspectors appointed pursuant to subsection E shall have attended fire inspector training by an entity that meets nationally recognized standards and is approved by the state fire marshal.

D. An assistant fire inspector who is appointed pursuant to subsection A may inspect property, issue notices of violation and enforce the jurisdiction's fire code. An assistant fire inspector who is appointed pursuant to subsection A shall report all actions taken to the state fire marshal in a manner prescribed by the state fire marshal.

E. A city, town or county may appoint a fire inspector from one or more public or private fire service providers who service areas in the city, town or county to inspect property. City, town or county fire inspectors may issue notices of violation and enforce the fire code on behalf of the city, town or county within the respective service area of the public or private fire service provider. A fire inspector shall report all actions taken to the city, town or county manager. A fire inspector who is appointed pursuant to this subsection is not entitled to receive additional compensation for performing duties on behalf of the city, town or county, but may charge fees to recover the costs for review of plans and the inspection of public or private premises.

F. The state fire marshal, deputy fire marshal, assistant fire inspectors or a fire inspector who is appointed pursuant to this section may inspect buildings and premises in response to an emergency call or at the request of the occupant of the public or private property.

G. The amount of the fees charged by a fire inspector or an assistant fire inspector shall be available at the office of the state fire marshal or the city, town or county where the property is located.



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Engineering Services

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Consideration of grant of public utility easement

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### **SUMMARY:**

John and Vonda Neal have requested a sewer extension to their property located at 7 Palo Christi Road. Since a portion of the proposed sewer main will be located within a private street, a public utility easement is required to allow for City maintenance of the main. The owners of the private street have executed the attached grant of public utility easement.

### **FISCAL IMPACT:**

None.

### **STAFF RECOMMENDATION:**

Staff recommends that the Mayor be authorized to sign the Easement Agreement on behalf of the City of Kingman.

### **ATTACHMENTS:**

Description

Easement Agreement

ARS 12-1134 Waiver

### **REVIEWERS:**

Department	Reviewer	Action	Date
Engineering	Henry, Greg	Approved	1/4/2016 - 1:07 PM
City Attorney	Cooper, Carl	Approved	1/4/2016 - 2:21 PM
City Manager	Dougherty, John	Approved	1/4/2016 - 1:13 PM



When recorded return to:

Kingman City Clerk  
310 N. 4th Street  
Kingman, AZ 86401

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**GRANT OF PUBLIC UTILITY EASEMENT**

(EXEMPT FROM AFFIDAVIT OF VALUE PURSUANT TO A.R.S. §11-1134(A)(2))

For the consideration of Ten and 00/100 Dollars, and other valuable consideration, **MARY JANET MEYER, BARBARA JEAN VOSS, ARTHUR A. ARNOLD, JR. and BOBBI A. VOSS**, as Successor Trustee of the **ANTHONY A. ARNOLD AND TRACEY A. ARNOLD IRREVOCABLE TRUST ua 12/03/2009** ("Grantor"), do hereby convey to the **CITY OF KINGMAN, an Arizona Municipal Corporation** ("Grantee"), an easement for public utility purposes and all purposes incident thereto; together with the right of ingress and egress for the purpose of installation, maintenance and replacement, including, without limitation, electric power, gas, water, sewer, telephone and cable television lines, and other apparatus and equipment related thereto under, over, on the real property (the "Property") situated in Mohave County, Arizona, described as:

**SEE EXHIBIT "A"**

Together also with the right, from time to time, to inspect, redesign, rebuild, repair or alter said lines, apparatus and equipment and to install additional apparatus and equipment, as well as the right to remove any of such lines or apparatus and equipment.

This Easement shall be binding upon and inure to the benefit of the parties hereto and their respective successors in interest and assigns.

Grantor covenants to and with Grantee and its assigns that they are lawfully seized and possessed of the Property, that Grantor has good and lawful right to grant the Easement, and that Grantor warrants and will defend the title to the Easement interest against all claims and demands.

Grantee may prosecute any proceeding, at law or in equity, against any person violating, or attempting to violate, any provisions of this Easement to prevent such person from doing so and to recover damages for any such violation. Except as otherwise provided in this easement, all costs and expenses incurred in pursuing a remedy at law or in equity, including, without limitation, reasonable attorneys' fees, shall be paid by those persons violating, or attempting to violate, any provisions of this Easement.

IN WITNESS WHEREOF, Grantor has executed this Easement this 28<sup>th</sup> day of December, 2015.

[signature pages follow]

GRANTOR:

BY:

Mary Janet Meyer  
Mary Janet Meyer

STATE OF ARIZONA )

) ss.

County of Mohave )

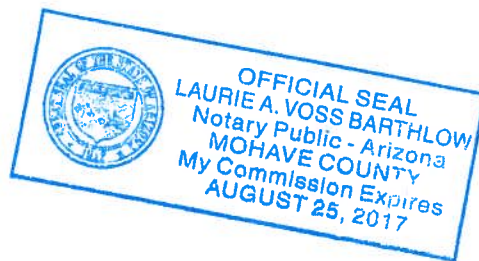
Acknowledged before me this 8th day of December, 2015 by Mary Janet Meyer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Laurie A Voss Barthlow  
Notary Public

My Commission expires:

8/25/2017



BY: Barbara Jean Voss AKA Bonnie A. Voss  
Barbara Jean Voss

Acknowledged before me this 28<sup>th</sup> day of December, 2015 by Barbara Jean Voss. -  
AKA Bobbi Arnold Voss

Notary Public

5/14/19



GRANTOR:

BY: \_\_\_\_\_

Arthur A. Arnold, Jr.

STATE OF ARIZONA )

Florida

) ss.

County of ~~Mohave~~ )

Brevard

Acknowledged before me this 10<sup>th</sup> day of December, 2015 by Arthur A. Arnold, Jr.,  
M.D.

IN WITNESS WHEREOF, I hereunto set my hand and official seal

\_\_\_\_\_  
Notary Public

My Commission expires:

9-3-17



R. ANTOON  
MY COMMISSION # FF 050929  
EXPIRES: September 3, 2017  
Bonded Thru Budget Notary Services

GRANTOR:

ANTHONY A. ARNOLD AND TRACEY A. ARNOLD IRREVOCABLE TRUST ua 12/03/2009

BY:

Bobbi A. Voss, Successor Trustee  
Bobbi A. Voss, Successor Trustee

STATE OF ARIZONA )

) ss.

County of Mohave )

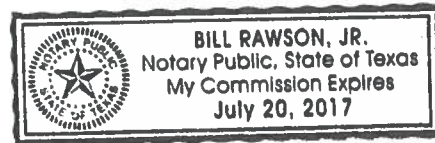
Acknowledged before me this 1 day of December, 2015 by Bobbi A. Voss.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

Bill Rawson, Jr.  
Notary Public

My Commission expires:

7/20/2017



**ACCEPTANCE**

The City of Kingman, a municipal corporation, does hereby accept the foregoing grant and easement and the terms and conditions thereof.

IN WITNESS WHEREOF, the City of Kingman has caused this Acceptance to be executed by its Mayor pursuant to authority granted by its City Council, this \_\_\_\_\_ day of \_\_\_\_\_, 2016.

CITY OF KINGMAN,  
a municipal corporation

BY: \_\_\_\_\_  
Richard Anderson, City Mayor

ATTEST:

\_\_\_\_\_  
Sydney Muhle, City Clerk

## EXHIBIT "A"      Legal Description:

A portion of the historic Arnold Estate described in book 739, page 964-965 official records, in the office of the recorders, Mohave County, Arizona. Said Estate being a part of Section 13; Township 21 North, Range 17 West of the Gila & Salt River Meridian, Mohave County, Arizona. Said portion being more particularly described as follows:

Beginning at the southwest corner of Parcel "C" as shown on the Parcel Plat found in book 6 of Parcel Plats, pages 12 & 12A, M.C.R. being described as a t-iron;

Thence South  $20^{\circ}17'31''$  West along the westerly edge of that dedication found in book 2375, page 757 of official records, Mohave County, Arizona, a distance of 30.48 feet to a point;

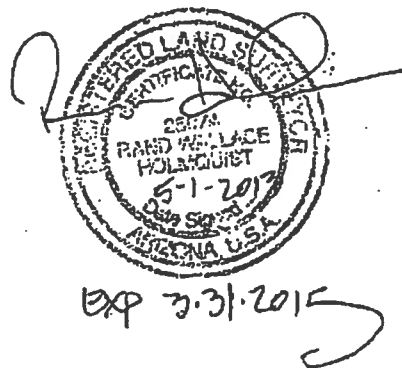
Thence North  $69^{\circ}50'00''$  West along the northern property lines for those parcels described in book 39 of deeds, page 267 and book 96 of official records, page 168, a distance of 164.29 feet to a  $5/8''$  rebar with cap, LS 25074 and then an additional 26.30 feet to a point;

Thence North  $20^{\circ}17'31''$  East, a distance of 30.90 feet to a  $1 1/4''$  o.d. pipe, being the southwest corner of the property shown on parcel plat found on book 6, page 12 & 12A, M.C.R.;

Thence South  $69^{\circ}42'29''$  East along the southern boundary of that property described in book 82 of deeds, page 259 M.C.R., a distance of 190.59 feet returning to the point of Beginning.

Containing 5842 square feet, more or less.

Scrivener: Rand W. Holmquist, RLS 25074



**AGREEMENT FOR THE WAIVER OF CLAIMS FOR DIMINUTION IN VALUE OF  
PROPERTY UNDER A.R.S. §12-1134**

This agreement is entered into this 23<sup>rd</sup> day of December, 2015, by and between MARY JANET MEYER, BARBARA JEAN VOSS, ARTHUR A. ARNOLD, JR. and BOBBI A. VOSS, as Successor Trustee of the ANTHONY A. ARNOLD AND TRACEY A. ARNOLD IRREVOCABLE TRUST ua 12/03/2009 (Owner) and the CITY OF KINGMAN, an Arizona Municipal Corporation, (City).

**RECITALS**

- A. The Owner owns certain real property located within the City or is within the City's service area. This real property is depicted and legally described in the attached Exhibit A, incorporated into this agreement by this reference; and
- B. The Owner has requested that the City enact a certain land use change directly applicable to the Owner's property and agrees that this change will increase the value and use of the land; and
- C. The Owner is aware that, as a condition of receiving approvals under the City's land use laws, the City may impose various requirements, conditions, and stipulations upon the property that will govern development of the property; and
- D. The Owner agrees and consents to all the conditions imposed by the City regarding the land use action in:
  - a. \_\_\_\_\_ Rezoning/Zoning Change
  - b. \_\_\_\_\_ Use Permit
  - c. \_\_\_\_\_ General Plan Amendment
  - d. \_\_\_\_\_ Variance
  - e. \_\_\_\_\_ Site Plan
  - f. \_\_\_\_\_ Subdivision
  - g. \_\_\_\_\_ Ordinance
  - h. \_\_\_\_\_ Development Agreement
  - i. \_\_\_\_\_ Water/Wastewater Service
  - j.   X   other   Easement   (please specify)
- E. By signing this agreement, the Owner acknowledges that Owner waives any right to claim diminution in value or claim for just compensation for diminution in value under A.R.S. §12-1134 related to the land use action as a result of the City's approval of the action in regards to the above referenced property. This waiver constitutes a complete release of any and all claims and causes of action that may arise or may be asserted under A.R.S. §12-1134 as it exists or may be enacted in the future or that may be amended from time to time with regard to the subject property.



- F. This agreement in no way acquiesces to or obligates the City to perform any legislative or administrative act.
- G. This agreement, any exhibits attached hereto, and any addendum, constitute the entire understanding and agreement of the Owner and the City and shall supersede all prior agreements or understandings between the Owner and the City regarding the above referenced property in accordance with A.R.S. §12-1134. This agreement may not be modified or amended except by written agreement by the Owner and the City.
- H. This agreement is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona.
- I. If any legal action is brought by either party to enforce any provisions of this agreement, the prevailing party shall be entitled to recover from the other party reasonable attorneys' fees and court costs in such amounts as shall be allowed by the court.
- J. Within ten (10) days after the execution of this agreement, the City Clerk shall file the agreement in the Official Records of the Recorder's Office, Mohave County, Arizona.
- K. This agreement runs with the land and is binding upon all present and future owners of the above referenced property.
- L. This agreement is subject to the cancellation provisions of A.R.S. §38-511
- M. The Owner warrants and represents that Owner holds fee title to the above referenced property, and that no other person has ownership interest in the property; and agrees to hold harmless and indemnify the City in any action regarding ownership. Owner is responsible to notify the City if change in ownership of the above listed property takes place prior to approval of the land use action. Any and all Owners must sign this agreement. Additional Owner signatures must be notarized and attached to this agreement.
- N. Any Agent that signs on behalf of the Owner, personally warrants and guarantees to the City that they have the full legal power to bind Owner to this agreement. Furthermore, Agent agrees to indemnify and hold harmless the City in any action regarding ownership of the above listed property. Agent is responsible to notify the City if any change in ownership of the above listed property takes place prior to the full approval of the requested action.

**CITY OF KINGMAN  
A MUNICIPAL CORPORATION**

By:   
Greg Henry, City Engineer

**I, the undersigned, hereby agree to the terms and acknowledge this document and sign below.**

**[signature pages follow]**

**PROPERTY OWNER/AGENT**

By: \_\_\_\_\_

Mary Janet Meyer

State of Arizona )

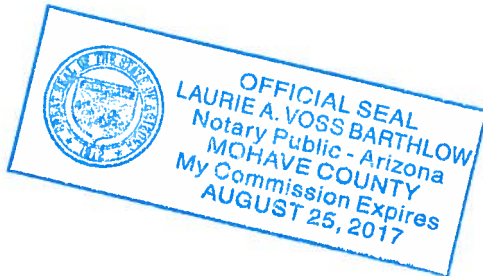
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County of Mohave )

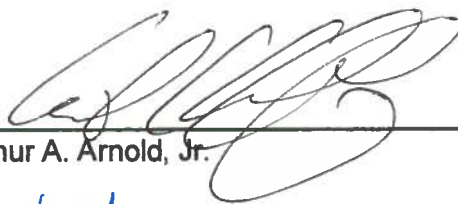
**SUBSCRIBED AND SWORN** to before me this 8<sup>th</sup> day of December, 2015

Laurie A Voss Barthlow

Notary Public



**PROPERTY OWNER/AGENT**

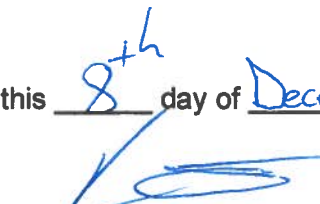
By:   
Arthur A. Arnold, Jr.

State of ~~Arizona~~ <sup>Florida</sup> )  
County of ~~Mohave~~ <sup>Brevard</sup> ) ss.

**SUBSCRIBED AND SWORN** to before me this 8<sup>th</sup> day of December, 2015



R. ANTOON  
MY COMMISSION # FF 050929  
EXPIRES: September 3, 2017  
Bonded Thru Budget Notary Services

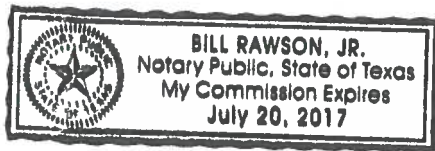
  
Notary Public

**PROPERTY OWNER/AGENT**

By: Barbara Jean Voss AKA Debbie A. Voss  
Barbara Jean Voss

State of Arizona       )  
                                  ) ss.  
County of Mohave     )

**SUBSCRIBED AND SWORN** to before me this 1 day of December, 2015



Bill Rawson  
Notary Public

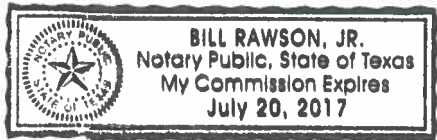
**PROPERTY OWNER/AGENT:**

**ANTHONY A. ARNOLD AND TRACEY A. ARNOLD IRREVOCABLE TRUST ua 12/3/2009**

By: *Bobbi A. Voss, Successor Trustee*  
Bobbi A. Voss, Successor Trustee

State of Arizona       )  
                                  ) ss.  
County of Mohave     )

**SUBSCRIBED AND SWORN** to before me this 1 day of December, 2015



*Bill Rawson, Jr.*  
Notary Public

## EXHIBIT "A"      Legal Description:

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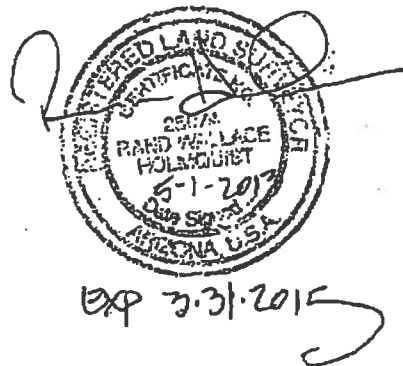
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Thence South  $69^{\circ}42'29''$  East along the southern boundary of that property described in book 82 of deeds, page 259 M.C.R., a distance of 190.59 feet returning to the point of Beginning.

Containing 5842 square feet, more or less.

Scrivener: Rand W. Holmquist, RLS 25074





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Tina D. Moline, Financial Services Director

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Resolution 4988: authorization for banking activities

---

### **SUMMARY:**

Resolution No. 4988 removes Diane Richards, Budget Analyst, as an authorized person to make wire transfers between the City's bank accounts. It removes the authorization for any person to make telephonic transfers between the City's bank accounts.

### **FISCAL IMPACT:**

None.

### **STAFF RECOMMENDATION:**

Staff recommends Council adopt Resolution No. 4988 which provides a specific authorization relating to the City's banking activities.

### **ATTACHMENTS:**

Description

Resolution No. 4988

### **REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Moline, Tina	Approved	1/4/2016 - 2:59 PM
City Attorney	Cooper, Carl	Approved	1/4/2016 - 3:39 PM
City Manager	Dougherty, John	Approved	1/4/2016 - 4:01 PM



**CITY OF KINGMAN, ARIZONA**

**RESOLUTION NO. 4988**

**A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA; RELATING TO THE CITY'S BANKING ACTIVITIES BY AUTHORIZING SIGNATORIES FOR THE CITY'S BANK ACCOUNTS, AND AUTHORIZING PERSONS TO MAKE WIRE TRANSFERS BETWEEN ACCOUNTS; AUTHORIZING PERSONS TO HOLD CITY PURCHASING CARDS; AND DELETING RESOLUTION NO. 4957.**

**NOW, THEREFORE, BE IT RESOLVED:**

1. that Resolution No. 4957 is hereby superseded in its entirety;
2. a) that Tina Moline, Director of Financial Services; and John Dougherty, City Manager; are hereby appointed as signatories of the City of Kingman's bank accounts; and  
  
b) that the signatories of both will be required on all checks written on the City of Kingman's bank accounts; and
3. that Tina Moline, Director of Financial Services, and Wendy Sherer, Finance Administrator, are hereby authorized to make wire transfers between the City's accounts; and
4. that the following positions are hereby authorized to hold City purchasing cards: Mayor or Vice-Mayor; City Manager; Budget Analyst; Finance Administrator(s); Director of Financial Services; Public Works Director and designees; City Clerk and designees; Human Resources Director and designees; Magistrate and designees; City Attorney and designees; Information Technology Director and designees; Parks & Recreation Director and designees; City Engineer and designees; Fire Chief and designees; Police Chief and designees; and Development Services Director and designees.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona on January 19, 2016.

**ATTEST:**

**APPROVED:**

---

Sydney Muhle, City Clerk

---

Richard Anderson, Mayor

**APPROVED AS TO FORM:**

---

Carl Cooper, City Attorney



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Jeffrey Singer, City Magistrate

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Replace Court fax machine

---

### **SUMMARY:**

The Court's fax machine is 10 years old and needs to be replaced. We have been advised that it is beyond repair due to age and degradation. The Court would like to purchase a Xerox MFC3325 from Copier Source. We have a service agreement with them on our current copier and would like to continue business with them.

### **FISCAL IMPACT:**

No fiscal impact - Requesting to have Court Enhancement Money approved for the purchase.

### **STAFF RECOMMENDATION:**

Recommends approval

### **ATTACHMENTS:**

Description

Copier Source Quote

### **REVIEWERS:**

Department	Reviewer	Action	Date
Municipal Court	Muhle, Sydney	Approved	1/14/2016 - 12:39 PM



## QUOTE

Page 1 of 1

### COPIER SOURCE

2587 N. KIOWA BLVD LAKE HAVASU CITY, AZ 86403  
Ph: (928) 680-0770 Fax: (928) 680-1342

Quote Number: 0000911  
Quote Date: 12/29/15  
Customer PO:  
Account Number: 7893-0  
Salesperson:

Bill To:  
CITY OF KINGMAN MAGISTRATE  
COURT  
219 N 4TH STREET  
KINGMAN AZ 86401

Ship To: 000  
CITY OF KINGMAN MAGISTRATE CRT  
219 N 4TH STREET  
KINGMAN AZ 86401

Buyer Phone:  
Fax: (928) 753-8099  
Route/Seq: /0

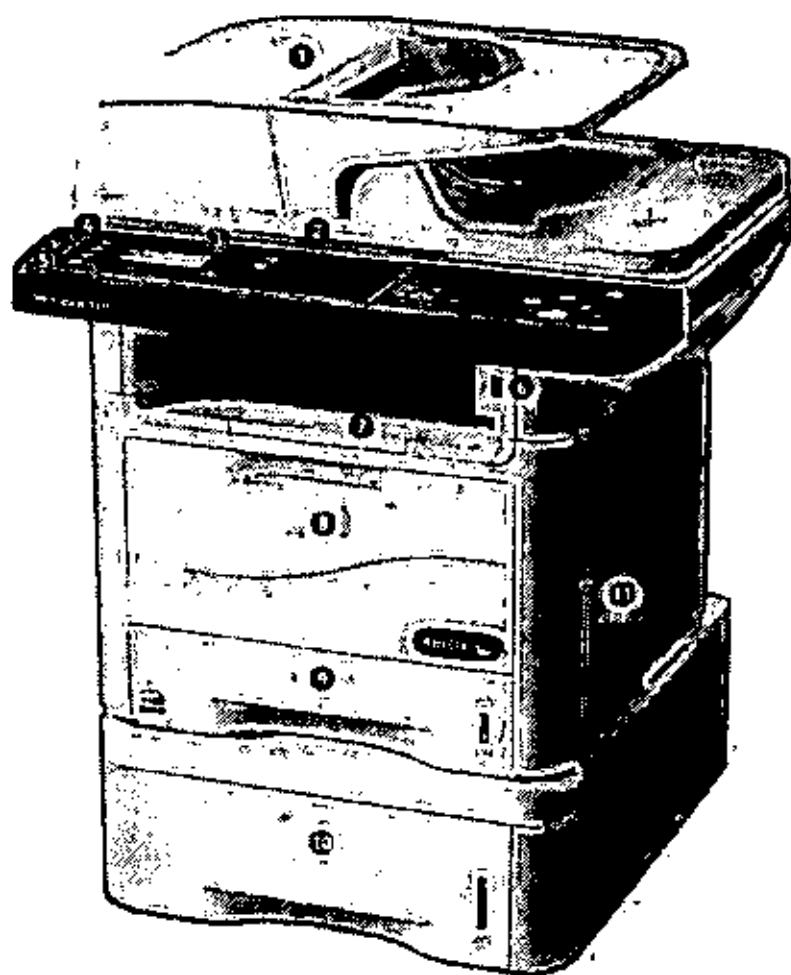
Line	Item Number	Description	UOM	Qty	Price	Total
1	MISC	MFC3325 XEROX	EA	1	699.00	699.00

monthly service charge \$28.88  
click rate .02 per click same  
as current machine

QUOTE IS GOOD FOR 30 DAYS

Subtotal	699.00
Shipping	0.00
Sales Tax	54.87
Total	753.87

**Multiple functions, minimal footprint.** The Xerox® WorkCentre® 3315/3325 Multifunction Printer offers outstanding print performance, plus a host of powerful productivity tools designed to make your daily office tasks more efficient than ever.



**1** A 50-sheet automatic document feeder handles media sizes from 5.6 x 5.8 in. to 8.5 x 14 in. Upgrade to the WorkCentre 3325 Multifunction Printer's 50-sheet DADF and get the extra ability to scan, copy, fax and email two-sided originals.

**2** Powerful color scanning capabilities include scan to email, network scanning (WorkCentre 3325 only), scan to folder and scan to USB memory device.

**3** A large, brightly illuminated front panel with easy-access buttons and help screens to streamline operations.

**4** Standard copy features include ID Card Copy, N up, photo mode, and more.

**5** Packed with the latest fax capabilities at a speed of 33.6 Kbps and MH/MR/MMR/JBIG/JPEG compression.

**6** A front side USB port allows users to quickly print from or scan to any standard USB memory device.

**7** 150-sheet output tray.

**8** Adjustable 50-sheet bypass input tray accepts custom media sizes from 3 x 5 in. to 8.5 x 14 in.

**9** 250-sheet input tray accepts custom media sizes from 4.1 x 5.8 in. to 8.5 x 14 in.

**10** Choose an additional 520-sheet paper tray and increase total capacity to 820 sheets.

**11** A standard 600 MHz processor and 256 MB memory (expandable to 768 MB) easily handle a heavy workload (WorkCentre 3325 only).

# Xerox® Phaser® 3320 Printer and Xerox® WorkCentre® 3315/3325 Multifunction Printer

**Superior desktop productivity with the latest office technology advantages.** The convenient, value-packed Phaser 3320 Printer and WorkCentre 3315/3325 Multifunction Printer deliver reliable, economical performance where you need it, helping you stay focused on what matters most: growing your business.

## Get more pages!

Print longer right out of the box. The Phaser 3320 and WorkCentre 3325 come with a standard toner cartridge that yields up to 5,000 pages.

## Do More for Less

- **More efficient input.** A Duplex Automatic Document Feeder (DADF) comes standard with the WorkCentre 3325, making faster work of two-sided scan, copy and fax jobs.
- **Standard duplexing.** Highly efficient, no hassle two-sided printing can cut your paper consumption and cost in half. And it's included with the Phaser 3320 and WorkCentre 3315/3325, not an expensive add-on.

## Engineered to Perform, Built to Last

- **Outstanding performance.** A fast print speed of up to 37 ppm and a first-page-out time as fast as 6.5 seconds mean your documents are always ready when you need them.
- **Print more for longer.** An optional second paper tray lets you load an extra 520 sheets at one time for extended interruption-free printing.
- **See the difference.** Your documents show exceptional sharpness with up to 1200 x 1200 image quality.
- **Reliable endurance.** A monthly duty cycle of up to 80,000 prints for the Phaser 3320 and WorkCentre 3325 (up to 50,000 prints for the WorkCentre 3315) means heavy-duty production. A standard one-year depot warranty gives you added peace of mind.
- **Multifunction productivity.** The space-saving WorkCentre 3315/3325 Multifunction Printer helps you conserve energy and reduce supplies costs by combining the functions of a copier, printer, color scanner, and fax into one affordable device.

## An Easy Fit

- **Go wireless.** The Phaser 3320 and WorkCentre 3325 come standard with internal Wi-Fi connectivity\*, giving you the freedom to choose the device that's right for you, and put it right where you need it.
- **Stay secure.** Keep your sensitive documents away from unintended recipients with the latest security features, including IPsec, SNMPv3, IP filtering and secure print.
- **Productivity where you need it.** All three devices feature a small footprint, which allows for easy integration within your work space, whether on your desk or in a shared location.
- **Economical efficiency.** Available high-capacity print cartridges reduce your total cost of ownership and demand less frequent replacement.
- **Easy management.** With Xerox® CentreWare® IS, remote device administration is handled with ease right from your computer's browser.

\* DNS configurations only

### WorkCentre 3315/3325 Quick Facts

- Print up to 33/37 ppm
- First page-out time as fast as 6.5 seconds
- Built-in Wi-Fi connectivity\*
- 50-sheet (Duplex) Automatic Document Feeder (WorkCentre 3325 only)
- Standard 250-sheet paper capacity
- 50-sheet Bypass Tray
- 600 MHz processor (WorkCentre 3315: 360 MHz)
- Up to 1200 x 1200 image quality



Copy / Print / Scan / Fax / Email

8.5 x 11 in. / A4

33 ppm (3315)  
37 ppm (3325)

WorkCentre 3315

WxDxH:  
16.2 x 16.6 x 16.4 in./  
424 x 422 x 417 mm

Weight:  
31.7 lbs / 14.4 kg

WorkCentre 3325

WxDxH:  
18.5 x 18 x 17.6 in./  
469 x 458 x 447 mm

Weight:  
36.5 lbs / 16.6 kg



### Phaser 3320 Quick Facts

- Print up to 37 ppm
- First page-out time as fast as 6.5 seconds
- Built-in Wi-Fi connectivity\*
- Standard 250-sheet paper capacity
- 50-sheet Bypass Tray
- 600 MHz processor
- Up to 1200 x 1200 image quality



Print

8.5 x 11 in. / A4

37 ppm

Phaser 3320

WxDxH:  
14.4 x 14.5 x 10.1 in./  
366 x 368 x 257 mm

Weight:  
21.8 lbs / 9.9 kg

	Phaser® 3320	WorkCentre® 3315	WorkCentre 3325
<b>Speed</b>	Up to 37 ppm Letter / 35 ppm A4	Up to 3.3ppm Letter / 31 ppm A4	Up to 37 ppm Letter / 35 ppm A4
<b>Duty Cycle</b>	Up to 80,000 pages / month <sup>1</sup>	Up to 50,000 pages / month <sup>1</sup>	Up to 80,000 pages / month <sup>1</sup>
<b>Paper Handling</b> Paper Input	Standard	Automatic Document Feeder (ADF): 50 sheets, Custom Sizes: 5.6 x 5.8 in. to 8.5 x 14 in. / 142 x 148 mm to 216 x 356 mm	Duplex Automatic Document Feeder (DAADF): 50 sheets, Custom Sizes: 5.6 x 5.8 in. to 8.5 x 14 in. / 142 x 148 mm to 216 x 356 mm
	Optional	Bypass Tray: 50 sheets, Custom sizes: 3 x 5 in. to 8.5 x 14 in. / 76 x 127 mm to 216 x 356 mm Tray 1: 250 sheets, Custom sizes: 4.1 x 5.8 in. to 8.5 x 14 in. / 105 x 148 mm to 216 x 356 mm	
	Additional Tray: 520 sheets, Custom sizes: 5.87 x 8.27 in. to 8.5 x 14 in. / 148 x 210 mm to 216 x 356 mm		
Paper Output	150 sheets		
Automatic Two-sided Printing	Standard		
Print First-page-out Time	As fast as 6.5 seconds		
Print Resolution (max)	Up to 600 x 600 dpi (1,200 x 1,200 image quality)		
Processor	600 MHz	360 MHz	600 MHz
Memory (std / max)	128 MB / 384 MB		256 MB / 768 MB
Local Drive	NA	NA	2 GB
Connectivity	USB 2.0, 10/100/1000Base-T Ethernet, Wi-Fi <sup>2</sup>	USB 2.0, 10/100Base-T Ethernet	USB 2.0, 10/100/1000Base-T Ethernet, Wi-Fi <sup>2</sup>
Page Description Languages	PCL® 5e and 6 emulations, PostScript 3 emulation	PCL® 5e and 6 emulations, PostScript 3 emulation, PDF emulation	PCL® 5e and 6 emulations, Adobe® PostScript® 3 <sup>™</sup> emulation, PDF emulation, XPS <sup>3</sup>
Print Features	Watermarks, Collation, Auto 2-sided prints, N-up, Poster, Booklet print, Custom page size, Fit to page, Scaling, Toner Save mode, Earth Smart mode	Watermarks, Collation, Auto 2-sided prints, N-up, Poster, Booklet print, Custom page size, Fit to page, Scaling, Toner Save mode, Earth Smart mode, Print from USB	Watermarks, Collation, Auto 2-sided prints, N-up, Poster, Booklet print, Custom page size, Fit to page, Scaling, Toner Save mode, Earth Smart mode, Print from USB, Job scheduling, Print from local drive, Save Save and Print
Copy First-page-out Time		As fast as 1.2 seconds	As fast as 10 seconds
Copy Resolution (max)		Up to 600 x 600 dpi	
Copy Features	NA	Automatic background suppression, Darkness control, ID Card Copy, Margin shift, N-up, Job build, Photo mode, Program Ahead	Automatic background suppression, Darkness control, ID Card Copy, Margin shift, N-up, Job build, Photo mode, Program Ahead, Booklet creation, Book copying with custom erase, Job interrupt, Edge erase, Poster copying
Fax <sup>4</sup> Fax Features	NA	3.3 & 4 kbps with MHA/MHAULT, MGC/PEG compression, Address book up to 200 speed dials, 209 group dials, Resolution up to 300 x 300 dpi, Auto redact, Auto reduction, Color Fax Send, Delayed Send, Fax Forward to Email/Fax, Junk fax protection, Memory Receive, PC Fax (Windows only), Secure Fax	
Scan Scan Destinations	NA	Scan to Email, USB, Local PC, Network PC	Scan to Email, USB, Local PC, Network PC, Folder, FTP, SMB, Local Drive
Scan Features		Up to 4800 x 4800 dpi resolution, 24-bit color / 8-bit grayscale, PDF / JPEG / TIFF (single and multi page), Remote Scan to PC Desktop® Personal Edition	
Security	Secure HTTPS (SSL), IPsec, 802.1X, SNMPv3, IP Filtering, Secure Print, Mac Address Filtering	Secure HTTPS (SSL), IPsec, 802.1X, SNMPv3, IP Filtering, Secure Print (with optional 256 MB memory upgrade), Mac Address Filtering, Secure LDAP	Secure HTTPS (SSL), IPsec, 802.1X, SNMPv3, IP Filtering, Secure Print, Mac Address Filtering, Network Authentication, Secure LDAP, Image Overwrite
Warranty	One-year depot warranty, on-site service coverage with Xerox eService <sup>®</sup> , Xerox Total Satisfaction Guarantee		

#### Device Management

ControlWare® Internet Services, ControlWare Web, Email clients, Apple® Bonjour

#### Print Drivers

Windows XP and later, OS X 10.5 and later, various Linux and Unix distributions, Xerox Global Print Driver, Xerox Mobile Express Driver

#### Media Handling

Automatic Document Feeder (3315): 16 lb. - 28 lb. bond / 60 - 105 gsm; Duplex Automatic Document Feeder (3325): 12.5 lb. - 28 lb. bond / 50 - 105 gsm; Bypass Tray: 16 lb. bond - 58 lb. cover / 60 - 220 gsm; Tray 1: 16 lb. - 43 lb. bond / 60 - 163 gsm; Media types: Plain paper, envelopes, labels, transparencies, cardstock, recycled

#### Operating Environment

Temperature: Storage: 32° to 104° F / 0° to 40° C, Operating: 50° to 90° F / 10° to 32° C, Humidity: Operating: 20% to 80%, Sound pressure levels: 3320 Printing: 52 dBA(A) Standby: 26 dBA(A) 3315, Printing/copying: 52 dBA(A) Standby: 26 dBA(A) 3325, Printing/copying: 53 dBA(A) Standby: 26 dBA(A); Warm-up time from sleep mode: as fast as 35 seconds

#### Electrical

Power: 110 - 127 VAC, 50/60 Hz, 6 SA or 220 - 240 VAC, 50/60 Hz, 3 SA, Power Consumption: 3320 Standby: 48 W Printing: 420 W Sleep: 10 W; 3315 Standby: 50 W Printing: 600 W Sleep: 8 W; 3325 Standby: 50 W Printing: 450 W Sleep: 8 W

#### Supplies

3320: 11,000 std. pages <sup>5</sup>	106R02307
3320: 5,000 std. pages <sup>5</sup>	106R02305
3325: 11,000 std. pages <sup>5</sup>	106R02313
3325: 5,000 std. pages <sup>5</sup>	106R02311
3315: 5,000 std. pages <sup>5</sup>	106R02311
3315: 2,300 std. pages <sup>5</sup>	106R02309

#### Options

Additional 520-sheet Paper Tray	497H01412
256 MB Memory	
(Phaser 3320 & WorkCentre 3315)	098R02189
512 MB Memory (WorkCentre 3325)	097H01878

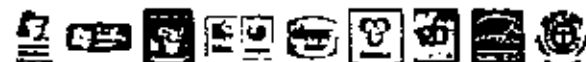
<sup>1</sup> Maximum volume capacity reported on any one month.

Not expected to be purchased on a regular basis.

<sup>2</sup> DMI configurations only.

<sup>3</sup> Requires analog phone line.

<sup>4</sup> Average standard pages. Declared Yield in accordance with ISO/IEC 19752. Yield will vary based on usage, area coverage and print mode.



Does not include WorkCentre 3315

For more information, call 1-877-362-6567 or visit us at [www.xerox.com/office](http://www.xerox.com/office)

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13298 01/14





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Robert J. DeVries, Chief of Police

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Electronic Crimes Task Force award

---

### **SUMMARY:**

On January 17, 2012 the Kingman Police Department entered into a Memorandum of Understanding (MOU) with the United States Secret Service Phoenix Field Office. The MOU allowed for participation in the Electronics Crime Task Force to address the increasing trend of cyber crime plaguing our communities.

As a member of the Electronics Crime Task Force, the department has been awarded \$1,000.00 for training. The funding will partially cover costs associated with Smartphone Forensics training and certification. Remaining costs for the training and certification will be covered by the department training line item budget.

### **FISCAL IMPACT:**

None, matching funds are not required

### **STAFF RECOMMENDATION:**

Staff recommends accepting the award and authorizing the Kingman Police Department to expend the funds in accordance to the award stipulation.

### **ATTACHMENTS:**

Description

Electronic mail notification of award

### **REVIEWERS:**

Department	Reviewer	Action	Date
Police Department	DeVries, Robert	Approved	1/7/2016 - 1:52 PM
City Attorney	Cooper, Carl	Approved	1/8/2016 - 4:52 PM
City Manager	Dougherty, John	Approved	1/12/2016 - 2:33 PM



## Robert DeVries

---

**From:** Jennifer Sochocki  
**Sent:** Thursday, January 07, 2016 11:06 AM  
**To:** Robert DeVries  
**Subject:** FW: ECTF Funding

The Kingman Police Department has been allocated \$1000 for ECTF. Do you want to complete the communication to council for it?

Jennifer

---

**From:** SCOTT RUEBER (PHX) [<mailto:scott.rueber@usss.dhs.gov>]  
**Sent:** Thursday, January 07, 2016 10:31 AM  
**To:** Jennifer Sochocki  
**Cc:** Todd Foster; Mike Godfrey  
**Subject:** ECTF Funding

Jennifer,  
We allocated \$1000 to you this AM. Hope that will help. Sorry to have taken so long to get back to you – A matter of Brad and I being in the same place at the same time.  
Scott

---

**From:** Jennifer Sochocki [<mailto:jsochocki@cityofkingman.gov>]  
**Sent:** Tuesday, December 15, 2015 9:48 AM  
**To:** BRADLEY KELLER (PHX); SCOTT RUEBER (PHX)  
**Cc:** Todd Foster; Mike Godfrey  
**Subject:** ECTF Funding

Good Morning Brad and Scott,

I would like to inquire as to whether there will be funding this year for ECTF? Our agency is looking to send Todd Foster to a Smartphone Forensics training in February. The training will cost \$695, per diem \$352, and lodging is estimated at \$269 to include tax and hotel fees for a total of \$1316. Todd Foster currently doesn't have a certification for cell phones, and at the end of this training Todd will be certified. We would greatly appreciate any funding, if available.

Please let me know if you have any questions.

Thank you for your consideration.

---

Jennifer Sochocki  
Support Services Administrator  
Public Information Officer  
Kingman Police Department  
2730 E. Andy Devine Ave.  
Kingman, AZ 86401  
928-753-8163 Desk  
928-753-2191 Main  
928-753-2542 Fax  
[jsochocki@cityofkingman.gov](mailto:jsochocki@cityofkingman.gov)  
[www.cityofkingman.gov](http://www.cityofkingman.gov)

Like us on Facebook [www.facebook.com/CityofKingmanPolice](http://www.facebook.com/CityofKingmanPolice) and follow us on Twitter  
<https://twitter.com/KingmanAZPolice>

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## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Rich Ruggles, Development Services

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Proposed Resolution 4990: approving the final subdivision plat and improvement plans for Southern Circle, Tract 1968

---

### **SUMMARY:**

A request from Fripps Mohave Land, LLC, property owner and subdivider, and Raymond W. Stadler, P.E., project engineer, for the approval of a final subdivision plat and improvement plans for Southern Circle, Tract 1968. The subject property is zoned R-2: Residential, Multiple Family, Low Density and is located along the north side of Southern Avenue east of Harrod Way. The subdivision is proposed to have six residential lots on 1.21 acres. The subdivision will include one new public street, Paula Place, which will connect to Southern Avenue.

The final plat, final drainage report, improvement plans, retaining wall analysis and design, and engineer's opinion of probable cost have been reviewed by the City Engineer, Development Services Department, and other concerned agencies and was found to be in compliance with the Subdivision Ordinance and other applicable regulations. The final plat is also in accordance with the requirements of Resolution No. 4886 which approved the preliminary plat for Southern Circle, Tract 1968 on April 1, 2014.

The subdivider is proposing to construct the required subdivision improvements prior to recording the final plat; therefore, an assurance agreement is not being offered. Once all of the improvements are completed and accepted by the Council, the final plat will be recorded. An 18-month time frame is proposed for the completion of the improvements.

### **FISCAL IMPACT:**

None expected.

### **STAFF RECOMMENDATION:**

Approve Resolution No. 4990.

### **ATTACHMENTS:**

Description

Resolution No. 4990

Final Plat Map

### **REVIEWERS:**

Department	Reviewer	Action	Date
Development Services	Jeppson, Gary	Approved	1/8/2016 - 10:11 AM

City Attorney  
City Manager

Cooper, Carl  
Dougherty, John

Approved  
Approved

1/8/2016 - 4:53 PM  
1/13/2016 - 12:57 PM

WHEN RECORDED HOLD FOR  
KINGMAN CITY CLERK  
310 N. 4<sup>th</sup> Street  
Kingman, Arizona 86401

## **CITY OF KINGMAN RESOLUTION NO. 4990**

### **A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: APPROVING THE FINAL SUBDIVISION PLAT, IMPROVEMENT PLANS FOR SOUTHERN CIRCLE, TRACT 1968.**

**WHEREAS**, Fripps Mohave Land, LLC, property owner and subdivider, and Raymond W. Stadler, P.E., project engineer, have requested the approval of a final plat and improvement plans of a residential subdivision, known as Southern Circle, Tract 1968, and

**WHEREAS**, the subject property is described as a subdivision of Lot 16, Block B, Kingman Park Estates, Tract 1078, Recorded July 7, 1969 at Fee No. 63630 Records of Mohave County, Situate Within Section 17, T.21N., R.16W., of the G. & S.R.M., Mohave County, Arizona, as shown in the attached Exhibit "A", and

**WHEREAS**, said proposed subdivision is 1.21 acres with six lots and a new street, and

**WHEREAS**, a preliminary plat and preliminary drainage report for Southern Circle, Tract 1968 was approved by the Kingman Common Council under Resolution No. 4886 on April 1, 2014, and

**WHEREAS**, the proposed final plat, final drainage report, improvement plans, and engineer's opinion of probable cost was prepared by Raymond W. Stadler, an engineer licensed in the State of Arizona, and was submitted for Southern Circle, Tract 1968, and is in accordance with the approved preliminary plat, and

**WHEREAS**, as part of this subdivision, certain offers of dedication to the public are made for transportation, utilities, and drainage, and are so defined and labeled on said plat, and

**WHEREAS**, the proposed final plat, drainage report, improvement plans, retaining wall analysis and design, and engineer's opinion of probable cost has been reviewed by the City Engineer, City Development Services Department and other concerned agencies, and were found to be generally in compliance with the City of Kingman Subdivision Ordinance, and other applicable regulations, and

**WHEREAS**, the subdivider intends to construct the required subdivision improvements including grading, public street improvements, and public utility improvements prior to recording of the final plat as is permitted by Section 3.3(a) of the Subdivision Ordinance of the City of Kingman, Arizona.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Common Council of the City of Kingman, Arizona:

1. That the proposed final plat, final drainage report, improvement plans, and retaining wall analysis and design for Southern Circle, Tract 1968, described as a subdivision of Lot 16, Block B, Kingman Park Estates, Tract 1078, Recorded July 7, 1969 at Fee No. 63630 Records of Mohave County, Situate Within Section 17, T.21N., R.16W., of the G. & S.R.M., Mohave County, Arizona, as shown in the attached Exhibit "A", is hereby approved, and
2. That the required subdivision improvements including grading, public street improvements, and public utility improvements associated with said plat shall be completed per the approved plans by August 1, 2018, and
3. That upon satisfaction of the City Engineer that the required improvements have been completed in accordance with the approved plans, the improvements shall be scheduled for acceptance into the City maintenance system by the Common Council and the final plat shall then be recorded.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona this 19<sup>th</sup> day of January, 2016.

**ATTEST:**

**APPROVED:**

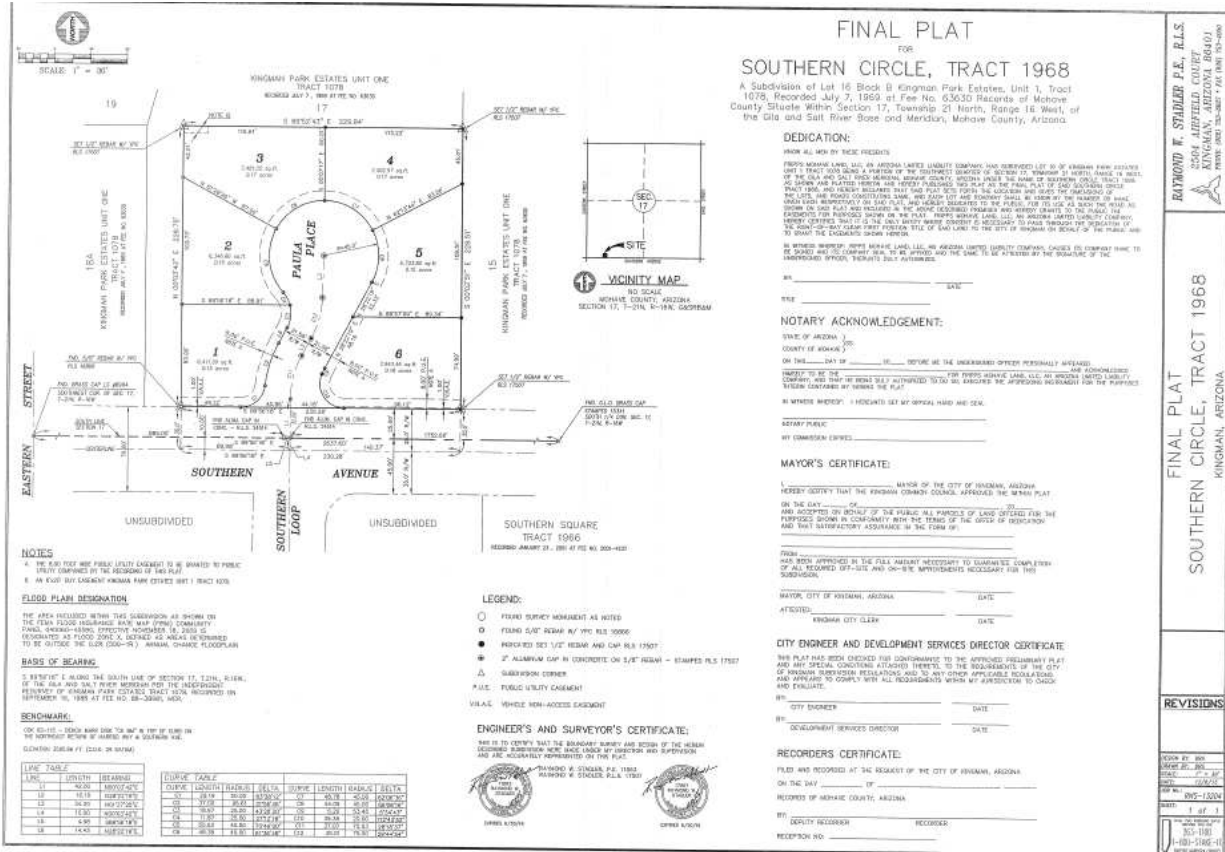
\_\_\_\_\_  
Sydney Muhle, City Clerk

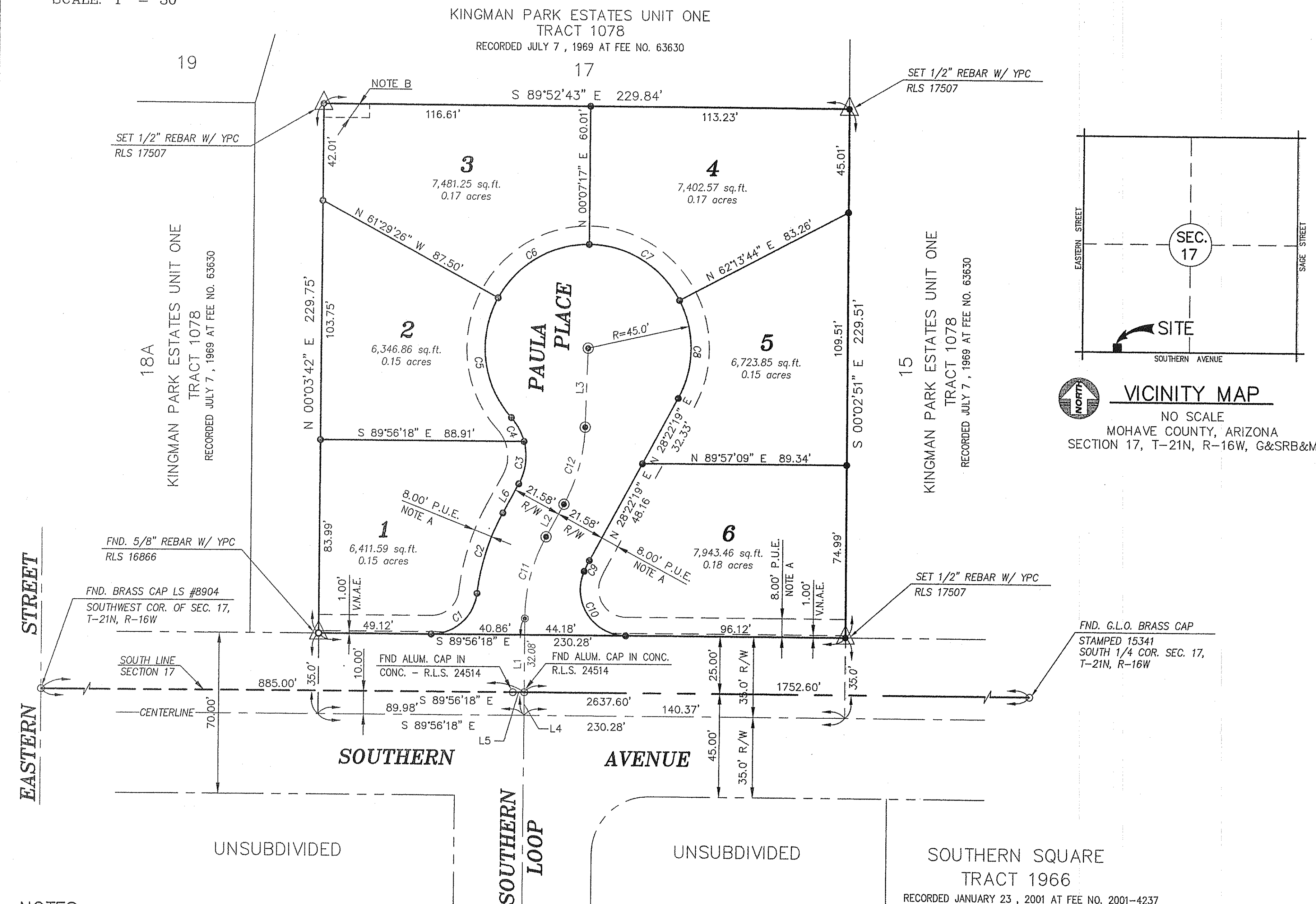
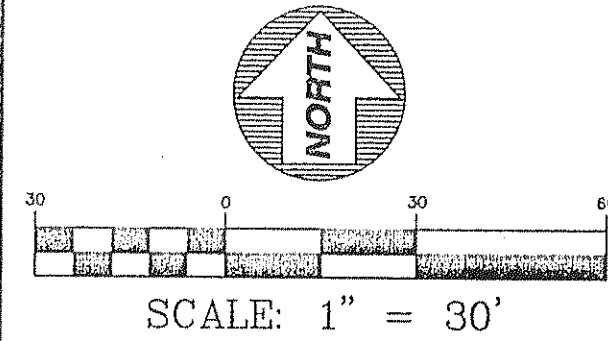
\_\_\_\_\_  
Richard Anderson, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carl Cooper, City Attorney

## **EXHIBIT “A”**





**NOTES**

A. THE 8.00 FOOT WIDE PUBLIC UTILITY EASEMENT TO BE GRANTED TO PUBLIC UTILITY COMPANIES BY THE RECORDING OF THIS PLAT.

B. AN 6'x20' GUY EASEMENT KINGMAN PARK ESTATES UNIT 1 TRACT 1078.

**FLOOD PLAIN DESIGNATION**

THE AREA INCLUDED WITHIN THIS SUBDIVISION AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP (FIRM) COMMUNITY PANEL 040060-4559G, EFFECTIVE NOVEMBER 18, 2009 IS DESIGNATED AS FLOOD ZONE X, DEFINED AS AREAS DETERMINED TO BE OUTSIDE THE 0.2% (500-YR.) ANNUAL CHANCE FLOODPLAIN

**BASIS OF BEARING**

S 89°56'18" E ALONG THE SOUTH LINE OF SECTION 17, T.21N., R.16W., OF THE GILA AND SALT RIVER MERIDIAN PER THE INDEPENDENT RESURVEY OF KINGMAN PARK ESTATES TRACT 1078, RECORDED ON SEPTEMBER 16, 1988 AT FEE NO. 88-38981, MCR.

**BENCHMARK:**

COK 03-115 - BENCH MARK DISK "CK BM" IN TOP OF CURB ON THE NORTHEAST RETURN OF HARROD WAY & SOUTHERN AVE.

ELEVATION 3585.86 FT. (C.O.K. 29 DATUM)

LINE TABLE		
LINE	LENGTH	BEARING
L1	42.00	N00°03'42"E
L2	16.19	N28°22'19"E
L3	34.20	N01°37'25"E
L4	10.00	N00°03'42"E
L5	4.98	S89°56'18"E
L6	14.43	N28°22'19"E

CURVE TABLE							
CURVE	LENGTH	RADIUS	DELTA	CURVE	LENGTH	RADIUS	DELTA
C1	29.19	20.00	83°38'12"	C7	48.78	45.00	62°06'36"
C2	37.00	96.61	21°56'48"	C8	44.09	45.00	56°08'16"
C3	18.97	25.00	43°28'20"	C9	5.20	53.45	5°34'43"
C4	11.87	25.00	27°12'18"	C10	39.35	20.00	112°43'52"
C5	55.62	45.00	70°49'00"	C11	37.07	75.03	28°18'37"
C6	48.39	45.00	61°36'48"	C12	35.01	75.00	26°44'54"

- LEGEND:**
- FOUND SURVEY MONUMENT AS NOTED
  - FOUND 5/8" REBAR W/ YPC RLS 16866
  - INDICATED SET 1/2" REBAR AND CAP RLS 17507
  - 2" ALUMINUM CAP IN CONCRETE ON 5/8" REBAR - STAMPED RLS 17507
  - △ SUBDIVISION CORNER
  - P.U.E. PUBLIC UTILITY EASEMENT
  - V.N.A.E. VEHICLE NON-ACCESS EASEMENT

**ENGINEER'S AND SURVEYOR'S CERTIFICATE:**

THIS IS TO CERTIFY THAT THE BOUNDARY SURVEY AND DESIGN OF THE HEREIN DESCRIBED SUBDIVISION WERE MADE UNDER MY DIRECTION AND SUPERVISION AND ARE ACCURATELY REPRESENTED ON THIS PLAT.

RAYMOND W. STADLER, P.E. 11063  
RAYMOND W. STADLER, R.L.S. 17507

EXPIRES 6/30/16

# FINAL PLAT

FOR

## SOUTHERN CIRCLE, TRACT 1968

A Subdivision of Lot 16 Block B Kingman Park Estates, Unit 1, Tract 1078, Recorded July 7, 1969 at Fee No. 63630 Records of Mohave County Situate Within Section 17, Township 21 North, Range 16 West, of the Gila and Salt River Base and Meridian, Mohave County, Arizona.

**DEDICATION:**

KNOW ALL MEN BY THESE PRESENTS

FRIPPS MOHAVE LAND, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HAS SUBDIVIDED LOT 16 OF KINGMAN PARK ESTATES UNIT 1 TRACT 1078 BEING A PORTION OF THE SOUTHWEST QUARTER OF SECTION 17, TOWNSHIP 21 NORTH, RANGE 16 WEST, OF THE GILA AND SALT RIVER MERIDIAN, MOHAVE COUNTY, ARIZONA UNDER THE NAME OF SOUTHERN CIRCLE TRACT 1968 AS SHOWN AND PLATTED HEREON AND HEREBY PUBLISHES THIS PLAT AS THE FINAL PLAT OF SAID SOUTHERN CIRCLE TRACT 1968, AND HEREBY DECLARES THAT SAID PLAT SETS FORTH THE LOCATION AND GIVES THE DIMENSIONS OF THE LOTS, AND ROADS CONSTITUTING SAME, AND EACH LOT AND ROADWAY SHALL BE KNOWN BY THE NUMBER OR NAME GIVEN EACH RESPECTIVELY ON SAID PLAT, AND HEREBY DEDICATES TO THE PUBLIC, FOR ITS USE AS SUCH THE ROAD AS SHOWN ON SAID PLAT AND INCLUDED IN THE ABOVE DESCRIBED PREMISES AND HEREBY GRANTS TO THE PUBLIC THE EASEMENTS FOR PURPOSES SHOWN ON THE PLAT. FRIPPS MOHAVE LAND, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, HEREBY CERTIFIES THAT IT IS THE ONLY ENTITY WHOSE CONSENT IS NECESSARY TO PASS THROUGH THE DEDICATION OF THE RIGHT-OF-WAY CLEAR FIRST POSITION TITLE OF SAID LAND TO THE CITY OF KINGMAN ON BEHALF OF THE PUBLIC AND TO GRANT THE EASEMENTS SHOWN HEREON.

IN WITNESS WHEREOF: FRIPPS MOHAVE LAND, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, CAUSES ITS COMPANY NAME TO BE SIGNED AND ITS COMPANY SEAL TO BE AFFIXED AND THE SAME TO BE ATTESTED BY THE SIGNATURE OF THE UNDERSIGNED OFFICER, THERUNTO DULY AUTHORIZED.

BY: \_\_\_\_\_ DATE \_\_\_\_\_

TITLE \_\_\_\_\_

**NOTARY ACKNOWLEDGEMENT:**

STATE OF ARIZONA }  
COUNTY OF MOHAVE }  
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_, BEFORE ME THE UNDERSIGNED OFFICER PERSONALLY APPEARED \_\_\_\_\_ AND ACKNOWLEDGED HIMSELF TO BE THE \_\_\_\_\_ FOR FRIPPS MOHAVE LAND, LLC, AN ARIZONA LIMITED LIABILITY COMPANY, AND THAT HE BEING DULY AUTHORIZED TO DO SO, EXECUTED THE AFOREGOING INSTRUMENT FOR THE PURPOSES THEREIN CONTAINED BY SIGNING THE PLAT

IN WITNESS WHEREOF: I HEREUNTO SET MY OFFICIAL HAND AND SEAL

NOTARY PUBLIC \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

**MAYOR'S CERTIFICATE:**

I, \_\_\_\_\_, MAYOR OF THE CITY OF KINGMAN, ARIZONA HEREBY CERTIFY THAT THE KINGMAN COMMON COUNCIL APPROVED THE WITHIN PLAT

ON THE DAY \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_, AND ACCEPTED ON BEHALF OF THE PUBLIC ALL PARCELS OF LAND OFFERED FOR THE PURPOSES SHOWN IN CONFORMITY WITH THE TERMS OF THE OFFER OF DEDICATION AND THAT SATISFACTORY ASSURANCE IN THE FORM OF: \_\_\_\_\_

FROM \_\_\_\_\_ HAS BEEN APPROVED IN THE FULL AMOUNT NECESSARY TO GUARANTEE COMPLETION OF ALL REQUIRED OFF-SITE AND ON-SITE IMPROVEMENTS NECESSARY FOR THIS SUBDIVISION.

MAYOR, CITY OF KINGMAN, ARIZONA \_\_\_\_\_ DATE \_\_\_\_\_

ATTESTED: \_\_\_\_\_ DATE \_\_\_\_\_  
KINGMAN CITY CLERK

**CITY ENGINEER AND DEVELOPMENT SERVICES DIRECTOR CERTIFICATE**

THIS PLAT HAS BEEN CHECKED FOR CONFORMANCE TO THE APPROVED PRELIMINARY PLAT AND ANY SPECIAL CONDITIONS ATTACHED THERETO, TO THE REQUIREMENTS OF THE CITY OF KINGMAN SUBDIVISION REGULATIONS AND TO ANY OTHER APPLICABLE REGULATIONS AND APPEARS TO COMPLY WITH ALL REQUIREMENTS WITHIN MY JURISDICTION TO CHECK AND EVALUATE.

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
CITY ENGINEER

BY: \_\_\_\_\_ DATE \_\_\_\_\_  
DEVELOPMENT SERVICES DIRECTOR

**RECORDERS CERTIFICATE:**

FILED AND RECORDED AT THE REQUEST OF THE CITY OF KINGMAN, ARIZONA

ON THE DAY \_\_\_\_\_ OF \_\_\_\_\_, 20\_\_\_\_

RECORDS OF MOHAVE COUNTY, ARIZONA

BY: \_\_\_\_\_ DEPUTY RECORDER  
\_\_\_\_\_ RECORDER

RECEPTION NO: \_\_\_\_\_

RAYMOND W. STADLER P.E., R.L.S.  
2504 AIRFIELD COURT  
KINGMAN, ARIZONA 86401  
PHONE: (928) 753-8927 • FAX (928) 753-4060

FINAL PLAT  
SOUTHERN CIRCLE, TRACT 1968  
KINGMAN, ARIZONA

REVISIONS

DESIGN BY: DRS  
DRAWN BY: DRS  
SCALE: 1" = 30'  
DATE: 12/8/15  
JOB No.: RWS-13204  
SHEET: 1 of 1

CALL TWO WORKING DAYS BEFORE YOU DIG  
263-1100  
1-800-STAKE-IT  
(OUTSIDE MARICOPA COUNTY)





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** City Clerk's Office

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Proposed Resolution 4991: declaring the City's intent to collect paybacks for a sewerline extension in Cypress Street and Airfield Avenue (ENG14-068)

---

### **SUMMARY:**

The Engineering Department finalized a sewer payback calculation sheet for an extension of approximately 548 linear feet of eight-inch PVC SDR sewer line extension in Cypress Street and Airfield Avenue. The City intends to collect paybacks on these sewer lines in accordance with the Municipal Utility Regulations.

### **FISCAL IMPACT:**

None.

### **STAFF RECOMMENDATION:**

Staff recommends adopting Resolution 4991 and authorizing the City Manager to sign the agreement with the installer, Gerald and Rosalba Homer.

### **ATTACHMENTS:**

Description

Resolution 4991

Sewerline payback agreement S-260

### **REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	1/11/2016 - 3:40 PM
City Attorney	Cooper, Carl	Approved	1/12/2016 - 3:53 PM
City Manager	Dougherty, John	Approved	1/13/2016 - 1:02 PM

When Recorded return to:  
Kingman City Clerk  
310 N. 4<sup>th</sup> Street  
Kingman, AZ 86401

**Sewerline Payback**

**CITY OF KINGMAN, ARIZONA  
RESOLUTION NO. 4991**

**A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA; APPROVING A PAYBACK AGREEMENT WITH GERALD & ROSALBA HOMER FOR APPROXIMATELY 548 LINEAR FEET OF 8-INCH PVC SDR 35 SEWER LINE EXTENSION WITH TWO (2) MANHOLE COVERS IN CYPRESS STREET AND AIRFIELD AVENUE**

**WHEREAS**, Article IX, Section 9.1 of the Municipal Utilities Regulations allows the City to establish and collect paybacks for water and/or sewer projects constructed private developers, and;

**WHEREAS**, Gerald & Rosalba Homer did install approximately 548 linear feet of 8-inch PVC SDR 35 sewer line extension with two (2) manhole covers in Cypress Street and Airfield Avenue at a cost of \$29, 473.60 which includes both design and construction costs, and;

**WHEREAS**, the total front footage of properties which benefit from the approximately 548 linear feet of 8-inch PVC SDR 35 sewer line extension with two (2) manhole covers in Cypress Street and Airfield Avenue is determined to be 908.25 linear feet, and;

**WHEREAS**, this payback is hereby calculated on the cost per linear foot basis of \$29, 473.60 divided by 908.25 linear feet which equates to a cost of \$32.4510 per linear foot, and;

**WHEREAS**, information on the properties affected by this payback, a map showing the payback limits and calculations of the payback amounts based upon a cost per linear foot basis are attached as Exhibit "A," and;

**WHEREAS**, the monies collected from this payback will be returned to Gerald & Rosalba Homer

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Common Council of the City of Kingman hereby declares:

1. The payback for the approximately 548 linear feet of 8-inch PVC SDR 35 sewer line extension with two (2) manhole covers in Cypress Street and Airfield Avenue is established as per linear foot basis of \$32.4510 per linear foot. A list of the properties affected is attached hereto as Exhibit "A."
2. The City shall collect the amounts due in accordance with the Municipal Utility Regulations and return the money to Gerald & Rosalba Homer.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona, this 19<sup>th</sup> day of January, 2016.

**ATTEST:**

\_\_\_\_\_  
Sydney Muhle, City Clerk

**APPROVED:**

\_\_\_\_\_  
Richard Anderson, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carl Cooper, City Attorney

# EXHIBIT "A"

<b>APN</b>	<b>Block</b>	<b>Lot</b>	<b>Subdivision</b>	<b>L.F. Frontage</b>	<b>Cost per L.F.</b>	<b>Total Payback</b>	
311-22-030C	K	10A-10B	Kingman Park Estates	310.13	\$32.4510	\$10,064.03	I.P.
311-04-147	9	21-24	GKA	101.30	\$32.4510	\$3,287.29	I.P.
311-04-146	9	19-20	GKA	50	\$32.4510	\$1,622.55	
311-04-145	9	17-18	GKA	50	\$32.4510	\$1,622.55	
311-04-144	9	13-16	GKA	97.76	\$32.4510	\$3,172.41	
311-04-162	10	37-38	GKA	47.66	\$32.4510	\$1,546.61	
311-04-154	10	39-40	GKA	50	\$32.4510	\$1,622.55	
311-04-155	10	41-42	GKA	50	\$32.4510	\$1,622.55	
311-04-163	10	43-44	GKA	50	\$32.4510	\$1,622.55	
311-04-164	10	45-46	GKA	50	\$32.4510	\$1,622.55	
311-04-158A	10	47-48	GKA	51.40	\$32.4510	\$1,667.98	
				-----		-----	
TOTALS				908.25		\$29,473.62	



After Recording, hold for:  
City Clerk  
310 N. 4th St  
Kingman AZ 86401  
S-260

## **SEWER LINE PAYBACK AGREEMENT**

### **S-260**

THIS SEWER LINE AGREEMENT, made and entered into on January 19, 2016 by and between the CITY OF KINGMAN, a municipal corporation, hereinafter referred to as the CITY; and

### **Gerald & Rosalba Homer**

hereinafter referred to as the INSTALLING PARTY.

WHEREAS, the INSTALLING PARTY has installed, at his sole expense, a sewer line extension which has been constructed according to the City of Kingman's Standard Specifications for Public Works Improvements and has installed under the supervision of the City Engineer, as follows:

Approximately 548 linear feet of 8-inch PVC SDR 35 sewer line extension with two (2) manhole covers in Cypress Street and Airfield Avenue.

NOW, THEREFORE, in consideration of the installation of said sewer line and of the mutual agreements of the parties herein contained, it is agreed as follows:

1. That the INSTALLING PARTY hereby assigns and transfers to the CITY the above described sewer line extension and any and all necessary rights-of-way for said line or any part thereof now owned and/or held, or to be owned or to be held by him.
2. The INSTALLING PARTY shall make available to the CITY all records of costs incurred in connection with the construction of said sewer line so that the CITY may accurately determine the original cost of said line.
3. Owners of lots or parcels abutting this sewer line who desire to be connected to the sewer system within twenty (20) years from the date of acceptance of the sewer line shall pay to the CITY a proportionate share of the original costs, as determined by the Kingman Municipal Utility Regulations, in the sum of \$32.4510 per linear foot across the frontage (MUR IA18) of the parcel being connected.
4. The CITY shall collect the amount due in accordance with the Municipal Utility Regulations and return same to the INSTALLING PARTY.
5. That the INSTALLING PARTY, and those connected later, shall comply with, and be subject to all rules, regulations, and fee schedules required by the CITY.
6. The CITY shall, at all times, have the right to connect further sewer line extensions to, and beyond, any such above described sewer extension, and serve other property owners without regard to any agreement made as provided herein.

IN WITNESS WHEREOF, the parties have set their hands the day and year first-above written.

CITY OF KINGMAN  
a municipal corporation

\_\_\_\_\_  
John Dougherty, City Manager

ATTEST:

\_\_\_\_\_  
Sydney Muhle, City Clerk

INSTALLING PARTY

\_\_\_\_\_  
Name: Gerald & Rosalba Homer  
Address: 2720 N. Apache Drive  
Kingman, Arizona 86401

STATE OF ARIZONA)  
    ) ss.  
County of Mohave)

The foregoing instrument was acknowledged before me this\_\_\_\_ day of \_\_\_\_\_, 20  
by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:\_\_\_\_\_

\_\_\_\_\_

<b>APN</b>	<b>Block</b>	<b>Lot</b>	<b>Subdivision</b>	<b>L.F. Frontage</b>	<b>Cost per L.F.</b>	<b>Total Payback</b>	
311-22-030C	K	10A-10B	Kingman Park Estates	310.13	\$32.4510	\$10,064.03	I.P.
311-04-147	9	21-24	GKA	101.30	\$32.4510	\$3,287.29	I.P.
311-04-146	9	19-20	GKA	50	\$32.4510	\$1,622.55	
311-04-145	9	17-18	GKA	50	\$32.4510	\$1,622.55	
311-04-144	9	13-16	GKA	97.76	\$32.4510	\$3,172.41	
311-04-162	10	37-38	GKA	47.66	\$32.4510	\$1,546.61	
311-04-154	10	39-40	GKA	50	\$32.4510	\$1,622.55	
311-04-155	10	41-42	GKA	50	\$32.4510	\$1,622.55	
311-04-163	10	43-44	GKA	50	\$32.4510	\$1,622.55	
311-04-164	10	45-46	GKA	50	\$32.4510	\$1,622.55	
311-04-158A	10	47-48	GKA	51.40	\$32.4510	\$1,667.98	
				-----		-----	
TOTALS				908.25		\$29,473.62	







## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** City Clerk's Office

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Proposed Resolution 4992: declaring the City's intent to collect paybacks for a waterline extension in Florence Avenue east of La Salle Street (ENG15-055)

---

### **SUMMARY:**

The Engineering Department finalized a water payback calculation sheet for an extension of approximately 386 linear feet of six-inch water line extension in Florence Avenue east of La Salle Street. The City intends to collect paybacks on behalf of the installing party on these water lines in accordance with the Municipal Utility Regulations.

### **FISCAL IMPACT:**

None.

### **STAFF RECOMMENDATION:**

Staff recommends adopting Resolution 4992 and authorizing the City Manager to sign the agreement with the installer, Owen & Samantha de Meyer.

### **ATTACHMENTS:**

Description

Resolution 4992

Waterline payback agreement W-280

### **REVIEWERS:**

Department	Reviewer	Action	Date
City Manager	Dougherty, John	Approved	1/13/2016 - 6:59 PM
City Attorney	Cooper, Carl	Approved	1/14/2016 - 12:11 PM
City Manager	Dougherty, John	Approved	1/13/2016 - 6:59 PM

When Recorded return to:  
Kingman City Clerk  
310 N. 4<sup>th</sup> Street  
Kingman, AZ 86401

**Waterline Payback**

**CITY OF KINGMAN, ARIZONA  
RESOLUTION NO. 4992**

**A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA; APPROVING A PAYBACK AGREEMENT WITH OWEN & SAMANTHA DE MEYER FOR APPROXIMATELY 193 LINEAR FEET OF 6-INCH WATER LINE EXTENSION IN FLORENCE AVENUE EAST OF LA SALLE STREET**

**WHEREAS**, Article IX, Section 9.1 of the Municipal Utilities Regulations allows the City to establish and collect paybacks for water and/or sewer projects constructed private developers, and;

**WHEREAS**, Owen & Samantha de Meyer did install approximately 193 linear feet of 6-inch water line extension in Florence Avenue east of La Salle Street at a cost of \$13,192.69, which includes both design and construction costs, and;

**WHEREAS**, the total front footage of properties which benefit from the approximately 193 linear feet of 6-inch water line extension in Florence Avenue east of La Salle Street is determined to be 386 linear feet, and;

**WHEREAS**, this payback is hereby calculated on the cost per linear foot basis of \$13,192.69, divided by 386 linear feet which equates to a cost of \$37.5702 per linear foot, and;

**WHEREAS**, information on the properties affected by this payback, a map showing the payback limits and calculations of the payback amounts based upon a cost per linear foot basis are attached as Exhibit "A," and;

**WHEREAS**, the monies collected from this payback will be returned to Owen & Samantha de Meyer

**NOW, THEREFORE, BE IT RESOLVED** that the Mayor and Common Council of the City of Kingman hereby declares:

1. The payback for the approximately 193 linear feet of 6-inch water line extension in Florence Avenue east of La Salle Street is established as per linear foot basis of \$37.5702 per linear foot. A list of the properties affected is attached hereto as Exhibit "A."
2. The City shall collect the amounts due in accordance with the Municipal Utility Regulations and return the money to Owen & Samantha de Meyer.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona, this 19<sup>th</sup> day of January, 2016.

**ATTEST:**

---

Sydney Muhle, City Clerk

**APPROVED:**

---

Richard Anderson, Mayor

**APPROVED AS TO FORM:**

---

Carl Cooper, City Attorney

# EXHIBIT "A"

<b>APN</b>	<b>Block</b>	<b>Lot</b>	<b>Subdivision</b>	<b>L.F. Frontage</b>	<b>Cost per L.F.</b>	<b>Total Payback</b>	
311-14-132	134	30-33	GGA	100	\$37.5702	\$3,757.02	I.P.
311-14-133	134	34-38	GGA	93	\$37.5702	\$3,494.03	
311-14-181	137	79-83	GGA	18	\$37.5702	\$676.27	
311-14-180A	137	77-78	GGA	50	\$37.5702	\$1,878.51	
311-14-180B	137	70-76	GGA	125	\$37.5702	\$4,696.28	
TOTALS				----- 386		----- \$14,502.11	



After Recording hold for:  
City Clerk  
310 N. 4th St  
Kingman, AZ 86401  
W-280

## **WATER LINE PAYBACK AGREEMENT**

### **W-280**

THIS WATER LINE AGREEMENT, made and entered into on January 19, 2016 by and between the CITY OF KINGMAN, a municipal corporation, hereinafter referred to as the CITY; and

### **Owen & Samantha de Meyer**

hereinafter referred to as the INSTALLING PARTY.

WHEREAS, the INSTALLING PARTY has installed, at his sole expense, a water line extension which has been constructed according to the City of Kingman's Standard Specifications for Public Works Improvements and has installed under the supervision of the City Engineer, as follows:

Approximately 193 linear feet of 6-inch water line extension in Florence Avenue east of La Salle Street.

NOW, THEREFORE, in consideration of the installation of said water line and of the mutual agreements of the parties herein contained, it is agreed as follows:

1. That the INSTALLING PARTY hereby assigns and transfers to the CITY the above described water line extension and any and all necessary rights-of-way for said line or any part thereof now owned and/or held, or to be owned or to be held by him.
2. The INSTALLING PARTY shall make available to the CITY all records of costs incurred in connection with the construction of said water line so that the CITY may accurately determine the original cost of said line.
3. Owners of lots or parcels abutting this water line who desire to be connected to the water system within twenty (20) years from the date of acceptance of the water line shall pay to the CITY a proportionate share of the original costs, as determined by the Kingman Municipal Utility Regulations, in the sum of \$37.5702 per linear foot across the frontage (MUR IA18) of the parcel being connected.
4. The CITY shall collect the amount due in accordance with the Municipal Utility Regulations and return same to the INSTALLING PARTY.
5. That the INSTALLING PARTY, and those connected later, shall comply with, and be subject to all rules, regulations, and fee schedules required by the CITY.
6. The CITY shall, at all times, have the right to connect further water line extensions to, and beyond, any such above described water extension, and serve other property owners without regard to any agreement made as provided herein.

IN WITNESS WHEREOF, the parties have set their hands the day and year first-above written.

CITY OF KINGMAN  
a municipal corporation

\_\_\_\_\_  
John Dougherty, City Manager

ATTEST:

\_\_\_\_\_  
Sydney Muhle, City Clerk

INSTALLING PARTY

Name: \_\_\_\_\_  
Address: Owen & Samantha de Meyer  
1832 Florence Avenue  
Kingman, AZ 86401

STATE OF ARIZONA)

) ss.

County of Mohave)

The foregoing instrument was acknowledged before me this \_\_\_\_ day of \_\_\_\_\_, 20  
by \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires:

\_\_\_\_\_



<b>APN</b>	<b>Block</b>	<b>Lot</b>	<b>Subdivision</b>	<b>L.F. Frontage</b>	<b>Cost per L.F.</b>	<b>Total Payback</b>
311-14-132	134	30-33	GGA	100	\$37.5702	\$3,757.02 I.P.
311-14-133	134	34-38	GGA	93	\$37.5702	\$3,494.03
311-14-181	137	79-83	GGA	18	\$37.5702	\$676.27
311-14-180A	137	77-78	GGA	50	\$37.5702	\$1,878.51
311-14-180B	137	70-76	GGA	125	\$37.5702	\$4,696.28
				-----		-----
TOTALS				386		\$14,502.11







## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Brenda Chastain

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Resolution 4989: Arizona Department of Transportation (ADOT) Grant E6F2S

---

### **SUMMARY:**

ADOT Grant No. E6F2S for \$70,527 for the Reconstruction of Taxiway C and Aircraft Parking Apron: local match for FAA grant previously approved.

Resolution No. 4989 Accepting the grant and authorizing the Airport Authority to act as the lead and administrative agency of the grant.

### **FISCAL IMPACT:**

None. The Airport Authority will provide the additional local match of \$70,527 for the FAA grant.

### **STAFF RECOMMENDATION:**

Kingman Airport Authority respectfully request the Council accept ADOT Grant No. E6F2S in the amount of \$70,527 and adopt Resolution No. 4989 pertaining to same.

### **ATTACHMENTS:**

Description

Resolution and Backup Documentation

### **REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	1/14/2016 - 12:37 PM

**CITY OF KINGMAN**

**RESOLUTION NO. 4989**

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA ACCEPTING A GRANT OFFER FROM THE ARIZONA DEPARTMENT OF TRANSPORTATION MULTIMODAL PLANNING DIVISION AERONAUTICS GROUP TO PROVIDE LOCAL MATCHING FUNDS FOR THE RECONSTRUCTION OF TAXIWAY C AND AIRCRAFT APRON AT THE KINGMAN AIRPORT. ADOT GRANT NUMBER E6F2S.**

**WHEREAS**, Kingman Airport Authority, Inc., on behalf of the City of Kingman, has applied for assistance through the Arizona Department of Transportation Multimodal Planning Division Aeronautics Group for a grant to provide a portion of the local matching funds for FAA Grant 3-04-0021-027-0015 to Reconstruct Taxiway C and a portion of the Aircraft Apron; and,

**WHEREAS**, the Arizona Department of Transportation Multimodal Planning Division Aeronautics Group has offered a grant to the City of Kingman in an amount of Seventy Thousand Five Hundred Twenty Seven Dollars (\$70,527.00) to assist Kingman Airport Authority, Inc. in providing the required local matching funds toward FAA Grant 3-04-0021-027-2015; and,

**WHEREAS**, the remaining local matching funds for FAA Grant 3-04-0021-027-2015 in the amount of Seventy Thousand Five Hundred Twenty Seven Dollars (\$70,527.00) will be provided by Kingman Airport Authority, Inc.;

**NOW, THEREFORE, BE IT RESOLVED**, that the Mayor and Common Council of the City of Kingman, Arizona, accept the grant offer from the Arizona Department of Transportation Multimodal Planning Division Aeronautics in the amount of Seventy Thousand Five Hundred Twenty Seven Dollars (\$70,527.00);

**BE IT FURTHER RESOLVED**, that the Mayor of the City of Kingman is authorized to execute the grant documents relating to ADOT Grant Number E6F2S;

**BE IT FURTHER RESOLVED**, that the Common Council of the City of Kingman will authorize the Vice Mayor to execute documents relating to ADOT Grant No. E6F2S in the absence of the Mayor if future action is taken at an official meeting of the Common Council; and,

**BE IT FURTHER RESOLVED**, that the Common Council of the City of Kingman will authorize Kingman Airport Authority, Inc. to act as the lead and administrative agency on its behalf in the administration of ADOT Grant Number E6F2S;

**PASSED, APPROVED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona this 19th day of January 2016.

APPROVED:

\_\_\_\_\_  
Richard Anderson, Mayor

ATTEST:

\_\_\_\_\_  
Sydney Muhle, City Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Carl Cooper, City Attorney

**Arizona Department of Transportation  
Multimodal Planning Division  
Aeronautics Group**

**Airport Development Reimbursable Grant Agreement**

**Part I**

THIS AGREEMENT is entered into \_\_\_\_\_, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION, through its Multimodal Planning Division (the "State") and the City of Kingman, a political subdivision of the State of Arizona (the "Sponsor"), for a grant of State funds for the purpose of aiding in financing a Project of Rehab. Parallel Twy C (75 ft x 3,000 ft) and Rehab. South Apron (17,600 sy) (the "Project"), for the improvement of Kingman Airport (the "Airport").

WITNESSETH

**Recitals:**

- 1) The Sponsor desires, in accordance with the authority granted by Arizona Revised Statutes (A.R.S.) Section 28-8413, funds from the State for the purpose of airport planning and/or development.
- 2) The Arizona State Transportation Board, as approved on November 20, 2015 and the Director of the Arizona Department of Transportation, in accordance with the authority granted by A.R.S. Sections 28-304, 28-363, and 28-401 and Title 28, Chapter 25, A.R.S., have authorized reimbursement to the Sponsor of funds expended for airport planning and/or development.

Now, therefore, in consideration of the foregoing recitals and of the covenants and agreements made by the parties herein to be kept and performed, the parties agree as follows:

**Sponsor's Responsibility**

- 1) The Sponsor shall accept this Agreement within 4 months of the date of the grant offer cover letter: December 2, 2015. This Grant offer, if not accepted by the Sponsor, shall expire at the end of the 4-month period.
- 2) The Sponsor shall commence the Project within 6 months of the date the grant was executed by the State. This Project will consist of the airport improvements as described in Exhibit C. The Sponsor shall proceed with due diligence and complete the Project in accordance with the provisions of this Agreement. The Sponsor shall provide and maintain competent supervision to complete the Project in conformance with the plans, specifications and work completion schedule incorporated as part of this Agreement.

## **Grant Number E6F2S**

City of Kingman  
Kingman Airport

- 3) The Sponsor shall submit completed Project Reimbursement and Milestone schedules, which shall be attached hereto, as Exhibit C, Schedules Two and Three respectively and shall complete the Project within that schedule. Any change to the schedule shall be submitted in writing and be approved by the State. A time extension beyond the State's obligation to provide funds herein must be reflected by formal Amendment to this Agreement.
- 4) The Sponsor shall comply with the Sponsor Assurances and abide by and enforce the General Provisions and Specific Provisions incorporated herein as Exhibits A, B and C respectively.

### **Obligations**

- 1) The minimum funding participation from the Sponsor shall be four and forty seven one hundredths of one per cent as determined by the State.
- 2) The maximum reimbursement available from the State to the Sponsor for this Agreement shall be seventy thousand five hundred twenty six dollars.
- 3) Except as otherwise provided herein, the State's obligation to provide funds hereunder expires upon completion of the efforts required herein or November 20, 2019, whichever is earlier.
- 4) The State may, after agreeing to provide said funds to the Sponsor, withdraw/terminate the grant if the Project has not been initiated as evidenced by a Notice to Proceed within 6 months of the date the grant was executed by the State or has not progressed as scheduled over a period of 12 months. If it becomes necessary to terminate a grant at any time, the State will reimburse expenses of the Sponsor, approved by the State, up to the time of notification of cancellation.
- 5) Sponsor acknowledges that in the event of a late payment or reimbursement by the State, the State shall have no obligation to pay a late payment fee or interest and shall not otherwise be penalized.
- 6) In the case where funds are no longer available or have been withdrawn or not appropriated, or the Project is no longer in the State's best interest, the State shall have the right of termination at its sole option. The State shall not reimburse any costs incurred after receipt of the notice of termination. The Governor pursuant to A.R.S. Section 38-511 hereby puts all parties on notice that this Agreement is subject to cancellation.

### **Preliminary Work Provision**

Any preliminary work, for which costs for this Project were incurred after July 1, 2015 shall be considered eligible for reimbursement provided that said costs are directly related to the Project on which this Agreement is written. The State shall review related records and determine eligibility at its sole discretion.



**Part II**

The Sponsor shall approve and attach to this agreement a resolution by its governing body that certifies as follows:

- 1) The Sponsor has the legal power and authority:
  - a) to do all things necessary, in order to undertake and carry out the Project;
  - b) to accept, receive and disburse grant funds from the State in aid of the Project.
- 2) The Sponsor now has on deposit, or is in a position to secure \*\*\*\*\*\$70,527.00\*\*\*\*\* dollars (\$ 70,527.00 ), or an equivalent amount represented by Sponsor's proposed labor and equipment costs, for use in defraying Sponsor's share of the costs of the Project. The present status of these funds is as follows:

Kingman Airport Authority, Inc. designated grant account - Mission Bank  
(Enter local funding type and location)

- 3) The Sponsor hereby designates Kingman Airport Authority, Inc.  
Brenda Chastain, Director, Corporate Admin.  
Name Title  
to receive payments representing the State's share of project costs.

<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div>Signature of Sponsor's Representative</div>	<hr style="border: none; border-top: 1px solid black; margin-bottom: 5px;"/> <div><b>Mayor</b> Title of Representative</div>
-------------------------------------------------------------------------------------------------------------------------------	----------------------------------------------------------------------------------------------------------------------------------

- 4) The Sponsor has on file with ADOT the following vendor identification and address for project payments:

Sponsor Vendor Id #:	860708446 01
Sponsor Vendor Address:	7000 Flightline Dr. Kingman, AZ 86401

**Exhibits**

The following Exhibits are incorporated herewith and form a part of this Agreement.

Exhibit A - Sponsor Assurances

Exhibit B - General Provisions

Exhibit C - Specific Provisions and Project Schedules

STATE:

State of Arizona  
Department of Transportation  
Multimodal Planning Division

By: \_\_\_\_\_  
Title: Michael Kies, Assistant Director  
Date: \_\_\_\_\_

SPONSOR:

City of Kingman  
Kingman Airport

By: \_\_\_\_\_  
Title: \_\_\_\_\_  
Date: \_\_\_\_\_

WITNESSED BY:

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Date: \_\_\_\_\_

WITNESSED BY:

Signature: \_\_\_\_\_  
Print Name: \_\_\_\_\_  
Date: \_\_\_\_\_

**EXHIBIT A**

**Sponsor Assurances**

Upon acceptance of the grant offer by the Sponsor, these assurances will become a part of this Agreement. The Sponsor hereby covenants and agrees with the State as follows:

**General**

- 1) That the Project is consistent with plans (existing at the time of approval of the Project) of political jurisdictions authorized by the State to plan for the development of the area surrounding the Airport and has given fair consideration to the interest of communities in or near where the Project is to be located. In making a decision to undertake any airport development Project under this Agreement the Sponsor insures that it has undertaken reasonable consultation with affected parties using the Airport at which the Project is proposed. All appropriate development standards of Federal Aviation Administration (FAA) Advisory Circulars, Orders, or Federal Regulations shall be complied with. All related state and federal laws shall be complied with.
- 2) That these covenants shall become effective upon execution of this Agreement for the Project or any portion thereof, made by the State and shall remain in full force and effect throughout the useful life of the facilities or the planning project's duration developed under the grant, but in any event, not less than twenty (20) years from the date of acceptance of the grant offer by the Sponsor.
- 3) The Sponsor certifies in this Agreement that it is a political subdivision of the State and is the public agency with control over a public-use Airport and/or on behalf of the possible future development of an Airport and is eligible to receive grant funds for the development or possible development of an Airport under its jurisdiction.
- 4) The Sponsor further agrees it holds good title, satisfactory to the State, to the landing area of the Airport or site thereof, or will give assurance satisfactory to the State that good title will be acquired.
- 5) That the Sponsor is the owner or lessee of the property or properties on which the Airport is located and that the lease guarantees that the Sponsor has full control of the use of the property for a period of not less than twenty (20) years from the date of this Agreement. All changes in airport ownership or to an airport lease shall be approved by the State.
- 6) The Sponsor agrees that it has sufficient funds available for that portion of the project costs which are not to be paid by the State (or the United States).
- 7) The Sponsor agrees to provide and maintain competent supervision to complete the Project in conformance with this Agreement.
- 8) Preserving Rights and Powers: The Sponsor agrees it shall not take or permit any action which would operate to deprive it of any of the rights and powers necessary to perform any or all of the terms, conditions and assurances in this Agreement without written permission from the State, and shall act promptly to acquire, extinguish or modify any outstanding rights or claims of right by others which would interfere with such performance by the Sponsor. This will be done in a manner acceptable to the State. The Sponsor shall not sell, lease, encumber or otherwise transfer or dispose of any part of its title or other interests in the property shown on the airport property map included in the most recent FAA-approved Airport Layout Plan, or to that portion of the property upon which State funds have been expended, for the duration of the terms, conditions and assurances in this Agreement without approval by the State. If the transferee is found by the State to be eligible under Title 49, United States Code, to assume the obligations of this Agreement and to have the power, authority and financial resources to carry out such obligations, the Sponsor shall

insert in the contract or document transferring or disposing of Sponsor's interest and make binding upon the transferee all the terms, conditions and assurances contained in this Agreement.

- 9) Public Hearings: In Projects involving the location of an Airport, an airport runway or a major runway extension, the Sponsor has afforded the opportunity for public hearings for the purpose of considering the economic, social and environmental impacts of the Airport or runway location and its consistency with goals and objectives of such planning as has been carried out by the community and it shall, when requested by the State, submit a copy of such hearings to the State.

### **Financial**

Pursuant to A.R.S. 35-326, the Sponsor may elect to utilize the Local Government Investment Pool ("LGIP") maintained by the state treasurer. The Sponsor shall request written approval from the State to use the LGIP. Thereafter, the State may deposit the funds authorized by the grant into the Sponsor's account. After approval of the reimbursements by the state, the funds shall be disbursed through the LGIP account to the Sponsor. The disbursements shall be made pursuant to the applicable laws and regulations.

The Sponsor shall establish and maintain for each Project governed by this Agreement, an adequate accounting record to allow State personnel to determine all funds received (including funds of the Sponsor and funds received from the United States or other sources) and to determine the eligibility of all incurred costs of the Project. The Sponsor shall segregate and group project costs into cost classifications as listed in the Specific Provisions of Exhibit C.

### **Record Keeping**

The Sponsor shall maintain accurate records of all labor, equipment and materials used in this Project and that upon reasonable notice, shall make available to the State, or any of their authorized representatives, for the purpose of audit and examination all records, books, papers or documents of the recipient relating to work performed under this Agreement. For airport development Projects, make the Airport and all airport records and documents affecting the Airport, including deeds, leases, operation and use agreements, regulations and other instruments, available for inspection by any duly authorized agent of the State upon reasonable request.

### **Airport Based Aircraft Reporting**

The Sponsor shall furnish to the State on a quarterly basis, a current detailed listing (including: Registration/N Number, Name, Address and Phone Number of Owner) of all based aircraft on the Airport in a form approved by the State.

### **Airport Layout Plan**

- 1) The Sponsor shall maintain a current signed/approved Airport Layout Plan (ALP) of the Airport, which shows building areas and landing areas, indicating present and planned development and to furnish the State an updated ALP of the Airport as changes are made.
- 2) The Sponsor shall be required to prepare an ALP for update or revalidation in accordance with current FAA and State standard guidelines. The ALP will indicate any deviations from FAA design standards as outlined in current FAA Advisory Circulars, orders or regulations. A copy of the signed/approved ALP in electronic format shall be forwarded to the State after authentication by FAA or the State.
- 3) The Sponsor shall assure that there are no changes to the airport property boundaries, together with any off-site areas owned or controlled by the Sponsor which support the Airport or its operations as a part of this project.

- 4) If a change or alteration is made at the Airport which the State determines adversely affects the safety, utility or efficiency of the Airport, or any State funded property on or off Airport which is not in conformity with the ALP as approved by the State, the Sponsor will, if requested by the State, eliminate such adverse effect in a manner approved by the State.

**Immediate Vicinity Land Use Restriction**

The Sponsor shall restrict the use of land, adjacent to or in the immediate vicinity of the Airport, to activities and purposes compatible with normal airport operations and to take appropriate action including the adoption of appropriate zoning laws. In addition, if the Project is for noise compatibility or to protect the 14 CFR Part 77 imaginary surfaces of the Airport, the Sponsor will not cause or permit any change in land use, within its jurisdiction, that will reduce its compatibility, with respect to the Airport, of the noise compatibility program measures or the imaginary surfaces of the Airport upon which State funds have been expended.

**Airport Operation**

- 1) The Sponsor shall promote safe airport operations by clearing and protecting the approaches to the Airport by removing, lowering, relocating, marking and/or lighting existing airport hazards and to prevent, to the extent possible, establishment or creation of future airport hazards. The Sponsor shall take appropriate action to assure such terminal airspace as is required to protect instrument and visual operations to the Airport (including established minimum flight altitudes) will be adequately cleared and protected by preventing the establishment or creation of future airport hazards. The Sponsor shall promptly notify airmen of any condition affecting aeronautical use of the Airport.
- 2) The Sponsor further agrees to operate the Airport for the use and benefit of the public and to keep the Airport open to all types, kinds and classes of aeronautical use without discrimination between such types, kinds and classes; provided that the Sponsor shall establish such fair, equal and nondiscriminatory conditions to be met by all users of the Airport as may be necessary for the safe and efficient operation of the Airport; and provided further, that the Sponsor may prohibit any given type, kind or class of aeronautical use of the Airport if such use would create unsafe conditions, interfere with normal operation of aircraft, or cause damage or lead to the deterioration of the runway or other airport facilities.
- 3) In any agreement, contract, lease or other arrangement under which a right or privilege at the Airport is granted to any person, firm or corporation to conduct or engage in any aeronautical activity for furnishing services to the public at the Airport, the Sponsor shall insert and enforce provisions requiring said person, firm or corporation:
  - a) to furnish services on a reasonable and not unjustly discriminatory basis to all users thereof and charge reasonable and not unjustly discriminatory prices for each unit or service;
  - b) and be allowed to make reasonable and nondiscriminatory discounts, rebates or similar types of price reductions to volume purchasers;
  - c) each Fixed Based Operator (FBO) and Air Carrier at the Airport shall be subject to the same rates, fees, rentals and other charges as are uniformly applicable to all other FBOs and Air Carriers making the same or similar uses of the Airport and utilizing the same or similar facilities;
  - d) each Air Carrier using such Airport shall have the right to service itself or to use any FBO that is authorized or permitted by the Airport to serve any Air Carrier at the Airport.
- 4) The Sponsor shall not exercise or grant any right or privilege which operates to prevent any person, firm or corporation operating aircraft on the Airport from performing any services on its own aircraft with its own employees (including but not limited to maintenance, repair and fueling) that it may choose to perform. In the event the Sponsor

itself exercises any of the rights and privileges referred to in this assurance, the services involved will be provided on the same conditions as would apply to the furnishing of such services by a commercial aeronautical operator authorized by the Sponsor under these provisions.

- 5) The Sponsor shall suitably operate and maintain the Airport and all facilities thereon or connected therewith which are necessary for airport purposes and to prohibit any activity thereon which would interfere with its use for aeronautical purposes and to operate essential facilities, including night lighting systems, when installed, in such manner as to assure their availability to all users of the Airport; provided that nothing contained herein shall be construed to require that the Airport be operated and maintained for aeronautical uses during temporary periods when snow, flood or other climatic conditions interfere substantially with such operation and maintenance.
- 6) The Sponsor shall not permit an exclusive right for the use of the Airport by any person providing, or intending to provide, aeronautical services to the public. For purposes of this paragraph, providing services at an Airport by a single FBO shall not be construed as an "exclusive right" if:
  - a) it would be unreasonably costly, burdensome or impractical for more than one FBO; and
  - b) if allowing more than one FBO to provide such services would require a reduction of space leased pursuant to an existing agreement between a single FBO and the Airport.

Note: Aeronautical activities that are covered by this paragraph include, but are not limited to: charter flights, pilot training, aircraft rental, sightseeing, air carrier operations, aircraft sales and services, aerial photography, agricultural spraying, aerial advertising and surveying, sale of aviation petroleum products whether or not conducted in conjunction with any other aeronautical activity, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity.

- 7) The Sponsor shall terminate any exclusive right to conduct an aeronautical activity now existing at the Airport before any grant of assistance from the State. However, there shall be no limit on the duration of the assurances regarding Exclusive Rights and Airport Revenue so long as the Airport is used as an Airport. There shall be no limit on the duration of the terms, conditions, and assurances with respect to real property acquired with State funds.
- 8) Airport Pavement Preservation Program: The Sponsor certifies that they have implemented an effective pavement preservation management program at the Airport in accordance with Public Law 103-305 and with the most current associated FAA policies and guidance for the replacement, reconstruction or maintenance of pavement at the Airport. The Sponsor assures that it shall use and follow this program for the useful life of the pavement constructed, reconstructed or repaired with financial assistance from the State and that it will provide such reports on pavement condition and pavement management programs as may be required by the State.

#### **Sponsor Transactions**

The Sponsor shall refrain from entering into any transaction which would deprive the Sponsor of any of the rights and powers necessary to perform any or all of the covenants made herein, unless by such transaction the obligation to perform all such covenants is assumed by another public agency eligible to assume such obligations and having the power, authority and financial resources to carry out such obligations; and, if an arrangement is made for management or operation of the Airport by an agency or person other than the Sponsor, the Sponsor shall reserve sufficient powers and authority to insure that the Airport will be operated and maintained in accordance with these covenants or insure that such an arrangement also requires compliance therewith.

**Airport Revenues**

The Sponsor shall maintain a fee and rental structure for the facilities and services at the Airport which will make the Airport as self-sustaining as possible under the circumstances existing at the particular Airport, taking into account such factors as the volume of traffic and economy of collection. All revenues generated by the Airport (and any local taxes established after Dec 30, 1987), will be expended by it for the capital or operating costs of the Airport; the local airport system; or the local facilities which are owned or operated by the owner or operator of the Airport and which are directly or substantially related to the actual air transportation of passengers or property, on or off the Airport.

**Disposal of Land**

- 1) For land purchased under a grant for airport development purposes (it is needed for aeronautical purposes, including runway protection zones, or serve as noise buffer land; and revenue from the interim use of the land contributed to the financial self-sufficiency of the Airport), the Sponsor shall apply to the State and FAA for permission to dispose of such land. If agreed to by the State and/or FAA, the Sponsor shall dispose of such land at fair market value and make available to the State and FAA an amount that is proportionate to the State and FAA's share of the cost of the land acquisition. That portion of the proceeds of such disposition, which is proportionate to the share of the cost of acquisition of such land, shall be (a) reinvested in another eligible airport development Project or Projects approved by the State and FAA or (b) be deposited to the Aviation Trust Fund if no eligible Project exists.
  - 2) Disposition of such land shall be subject to the retention or reservation of any interest or right therein necessary to ensure that such land will only be used for purposes which are compatible with noise levels associated with operation of the Airport.
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## **EXHIBIT B**

### **General Provisions**

#### **Employment of Consultants**

The term consultant, as used herein, includes planners, architects and/or engineers. If a consultant is to be used for this Project, the Sponsor agrees to consider at least three (3) consultant firms. If the Sponsor has contracted with or will contract with a consultant on a retainer basis, the Sponsor assures to the State that prior to entering such a contract, at least three (3) consultants were or will be considered. The Sponsor shall submit to the State, for review and approval, a copy of the request for proposals and/or request for qualifications, and the proposed consultant contract prior to its execution and upon award of the contract, a fully executed copy. All requests for qualifications and requests for proposals shall be in accordance with A.R.S. 34, Chapters 1, 2 and 6, and shall include a list of projects and project locations to be awarded project contracts.

#### **Contracts**

- 1) The Sponsor as an independent entity and not as an agent of the State may obtain the services required in order to fulfill the work outlined in the Project Description as approved by the State for funding in the Airport Capital Improvement Program. All contracts awarded to accomplish the project work described in this Agreement shall state:
  - a) The name of the consultant authorized to perform the work and to communicate on behalf of the Sponsor;
  - b) The Sponsor must insure that contracts issued under this Agreement comply with the provisions of Arizona Executive Order 75-5 as amended by Arizona Executive Order 99-4, relating to equal opportunity;
  - c) The terms for termination of the contract either for failure to perform or in the best interest of the Sponsor;
  - d) The duly authorized representatives of the State shall have access to any books, documents, papers and records of the consultant and/or contractor which are in any way pertinent to the contract for a period of five years, in accordance with A.R.S. 35-214, for the purpose of making inspections, audits, examinations, excerpts and transcriptions.
- 2) All contracts shall stipulate and make clear:
  - a) The responsibilities of the consultant to gain authorization for changes on the Project which may have an effect on the contract price, scope, or schedule;
  - b) That all construction contractors and sub-contractors hired to perform services, shall be in compliance with A.R.S. 32, Chapter 10.
  - c) That any materials, including reports, computer programs or files and other deliverables created under this Agreement are the sole property of the Sponsor. That these items shall be made available to the public. The Contractor/Consultant is not entitled to a patent or copyright on these materials and may not transfer the patent or copyright to anyone else.
  - d) That any travel shall be reimbursable by the State only within the rules and costs in accordance with the State of Arizona Travel Policy.



**Conflict of Interest**

Each consultant submitting a proposal shall certify that it shall comply with, in all respects, the rules of professional conduct set forth in Arizona Administrative Code R4-30-301. In addition, a conflict of interest shall be cause for disqualifying a consultant from consideration; or terminating a contract if the conflict should occur after the contract is made. A potential conflict of interest includes, but is not limited to:

- 1) Accepting an assignment where duty to the client would conflict with the consultant's personal interest, or interest of another client.
- 2) Performing work for a client or having an interest which conflicts with this contract.

**Reports**

The Sponsor shall submit monthly status reports during planning, shall submit monthly status reports during design, and shall submit weekly reports during construction. All reports shall reflect, at a minimum, the progress accomplished in relation to the Grant and Project schedules and milestones, the reasons for any changes, and the recommended corrections of problems encountered. Upon completion of the Project, the Sponsor shall submit a letter to the State specifying that the Project has been completed to their satisfaction and that the consultant and the contractor have completed their contractual responsibilities.

**Changes**

**Any changes to the consultant contract, authorized by the Sponsor, that include additional funds, time and/or scope, shall be by amendment and shall be approved by the State prior to being made in order to be eligible for reimbursement.** Approval of a change by the State shall not obligate the State to provide reimbursement beyond the maximum funds obligated by this Agreement. Any increase to the amount of funds authorized hereunder, to the expiration date of this agreement, or to the scope of work included in this agreement must be by formal amendment, and signed by all parties.

Any changes to the contract documents, authorized by the Sponsor, must be approved by the State prior to any changes being made in order to be eligible for reimbursement.

**Audit**

Upon completion of the Project, the Sponsor agrees to have an audit performed. The audit examination may be a separate project audit or in accordance with the Single Audit Act of 1984 (Single Audit). If the Sponsor is required under law to have a Single Audit, this Project shall be considered for inclusion in the scope of examination.

The Sponsor shall keep all project accounts and records which fully disclose the amount and disposition by the recipient of the proceeds of the grant, the total cost of the Project in connection with which the grant is given or used, and the amount or nature of that portion of the cost of the Project supplied by other sources, and such other financial records pertinent to the Project. The accounts and records will be kept in accordance with A.R.S. 35-214.

In any case in which an independent audit is made of the accounts of a Sponsor relating to the disposition of the proceeds of a grant relating to the Project in connection with which the grant was given or used, it shall file a certified copied of such audit with the State not later than six (6) months following the close of the fiscal year in which the audit was made.

The Sponsor shall make available to the State or any of their other duly authorized representatives, for the purpose of audit and examination, any books, documents, papers and records of the recipient that are pertinent to the grant. The

Sponsor further agrees to provide the State a certified copy of the audit report. The State is to determine the acceptability of this audit.

**Suspension**

If the Sponsor fails to comply with any conditions of this Agreement, the State, by written notice to the Sponsor, may suspend participation and withhold payments until appropriate corrective action has been taken by the Sponsor. Costs incurred during a period of suspension may not be eligible for reimbursement by the State.

**Failure to Perform**

If the Sponsor fails to comply with the conditions of this Agreement the State, may by written notice to the Sponsor, terminate this Agreement in whole or in part. The notice of termination will contain the reasons for termination, the effective date, and the eligibility of costs incurred prior to termination. The State shall not reimburse any costs incurred after the date of termination.

**Termination for Convenience**

When the continuation of the Project will not produce beneficial results commensurate with the further expenditure of funds or when funds are not appropriated or are withdrawn for use hereunder, the State may terminate this Agreement. In the case where continuation of the Project will not produce beneficial results, the State and the Sponsor shall mutually agree upon the termination either in whole or in part. In the case where funds are no longer available or have been withdrawn or not appropriated, or the Project is no longer in the State's best interest, the State shall have the right of termination as its sole option. The State shall not reimburse any costs incurred after receipt of the notice of termination. The Governor pursuant to A.R.S. Section 38-511 hereby puts all parties on notice that this Agreement is subject to cancellation.

**Waiver by State**

No waiver of any condition, requirement or right expressed in this Agreement shall be implied by any forbearance of the State to declare a default, failure to perform or to take any other action on account of any violation that continues or repeats.

**Compliance with Laws**

The Sponsor shall comply with all Federal, State and Local laws, rules, regulations, ordinances, policies, advisory circulars, and decrees that are applicable to the performance hereunder.

**Arbitration**

In the event of a dispute, the parties agree to use arbitration to the extent required by A.R.S. Section 12-1518.

**Jurisdiction**

Any litigation between the Sponsor and the State shall be commenced and prosecuted in an appropriate State court of competent jurisdiction within Maricopa County, State of Arizona.

**Excess of Payments**

If it is found that the total payments to the Sponsor exceed the State's share of allowable project costs, the Sponsor shall promptly return the excess to the State. Final determination of the State's share of allowable costs shall rest solely with

the State. Any reimbursement to the Sponsor by the State not in accordance with this Agreement or unsubstantiated by project records will be considered ineligible for reimbursement and shall be returned promptly to the State.

**State Inspectors**

At any time and/or prior to final payment of funds for work performed under this Agreement, the State may perform an inspection of the work performed to assure compliance with the terms herein and to review the workmanship of the Sponsor's contractors and/or consultants. No inspector is authorized to change any provisions of this Agreement or any provisions of Agreements between the Sponsor and the Sponsor's contractor and/or consultant.

**Indemnification**

The State of Arizona, acting by and through the Arizona Department of Transportation, does not assume any liability to third persons nor will the Sponsor be reimbursed for the Sponsor's liability to third persons resulting from the performance of this Agreement or any subcontract hereunder.

The Sponsor shall indemnify and hold harmless the State, any of their departments, agencies, officers and employees from any and all liability, loss or damage the State may suffer as a result of claims, demands, costs or judgments of any character arising out of the performance or non-performance of the Sponsor or its independent contractors in carrying out any provisions of this Agreement. In the event of any action, this indemnification shall include, but not be limited to, court costs, expenses of litigation and reasonable attorney's fees.

**Required Provisions Deemed Inserted**

Each and every provision of law and clause required by law to be inserted in this Agreement shall be read and enforced as though it were included herein, and if through mistake or otherwise any such provision is not inserted, or is not correctly inserted, then upon the application of either party, this Agreement shall forthwith be physically amended to make such insertion or correction.

**Property of the Sponsor and State**

Any materials, including reports, computer programs or files and other deliverables created under this Agreement are the sole property of the Sponsor. The Contractor/Consultant is not entitled to a patent or copyright on these materials and may not transfer the patent or copyright to anyone else. The Sponsor shall give the State unrestricted authority to publish, disclose, distribute and otherwise use at no cost to the State any of the material prepared in connection with this grant. At the completion of the project, the Sponsor shall provide the State with an electronic copy, in a format useable by the State, and one hard copy in a format useable by the State, of final plans, specifications, reports, planning documents, and/or other published materials as produced as a result of this project.

## **EXHIBIT C**

### **Specific Provisions and Project Schedules**

#### **Provisions for Design/Construction**

##### **Financial Cost Categories**

The Sponsor shall segregate and group project costs in categories as follows:

- 1) "Design/Engineering Services" (as applicable), including topographic surveys/mapping, geometric design, plans preparation, geotechnical and pavement design, specifications, contract documents.
- 2) "Construction" (must be accounted for in accordance with approved work items as presented in the bid tabulation).
- 3) "Construction Engineering" (as applicable), including contract administration, inspection/field engineering, materials testing, construction staking/as-built plans and other.
- 4) "Sponsor Administration" directly associated with this Project (not to exceed 5% of project costs).
- 5) "Sponsor Force Account" contribution (if applicable).
- 6) "Contingencies" (not to exceed 5% of construction costs).
- 7) "Other" with prior approval of the State.

##### **Design Review – Plans, Specifications and Estimates**

Plans, specifications and estimates shall be accomplished by, or under the direct supervision of a qualified engineer registered by the State of Arizona. The Sponsor shall conduct a Concept Design Review meeting with the State and Sponsor's consultant at approximately the thirty percent (30%) completion point in the design of the Project, and a Final Design Review at one hundred percent (100%) plan completion.

These mandatory reviews shall be completed before the Sponsor will be permitted to proceed with the Project. The State shall issue an approval to proceed with final design upon satisfactory completion of the 30% review. The State shall issue an approval of the 100% plans, specifications and estimates upon satisfactory completion of the 100% review. Upon State approval, the Sponsor may proceed to advertising if construction is included in the scope of the Project, or must close the Project and submit a final grant reimbursement request if the grant is for design only.

Any modification to the approved plans, specifications and estimates authorized by the Sponsor shall also be subject to approval of the State. **Changes made to approved plans, specifications, and estimates at any time must be authorized by the State prior to executing the changes in order to be eligible for reimbursement by the State.**

The National Environmental Policy Act (NEPA) documentation must be complete and approved by the State and/or FAA prior to construction. The Sponsor shall submit a copy of the documentation to the State.

**FAA Notice of Proposed Construction**

The Sponsor agrees to submit an FAA Form 7460-1, Notice of Proposed Construction or Alteration before construction, installation or alteration of any Project under this Agreement that falls under the requirements of Subpart B to Part 77, Objects Affecting Navigable Airspace.

**Bidding - Alternate Bidding Methods**

Design, Bid, Build is the standard and preferred method for project delivery for State airport development grant projects. Alternative contracting methods (Design Build, Construction Manager at Risk, Task Order Contract) may be used in accordance with A.R.S. Title 34, Chapters 1, 2 and 6. **Use of an alternative contracting method shall be reviewed and approved by the State prior to the Sponsor executing a contract for the work.** If a project is approved for an alternative contracting method, the Sponsor must comply with all Federal, State, and Local policies, regulations, rules, and laws, as well as all requirements of this grant agreement within that method.

**Based on Bids**

If a Sponsor has requested a match to a Federal construction grant that was based on bids (the project was already advertised by the Sponsor with no existing State airport development grant for the design work), then all design coordination with the State required by this agreement must have been met during the design process for any prior design work to be considered eligible for reimbursement by the State. The State shall review any documentation and work done prior to bidding and, at its sole discretion, determine the eligibility of the work. Only work items necessary to complete the Project as stated in Exhibit C, Schedule One, Project Description, may be considered eligible.

**Contractor Allowance**

This item may only be used to cover costs of unknown, unforeseen circumstances within the scope of the grant that are necessary for Project completion. (For example: if unknown underground utilities must be removed or relocated to accomplish the Project) **This item must have prior approval of the State for each use of the item during construction in order to be eligible for reimbursement by the State.** The bid item shall be clearly defined in the contract documents with concise language describing when it may be utilized. It shall also be specified that the item may not be used at all. The allowance may only be used for unforeseen items directly related to the Project.

**Contingencies**

Contingencies are to be used as an estimating tool during the preliminary phases of Project development. They are intended to allow room in the grant funding level for reasonable price increases or approved added items during design. Contingencies are not eligible for reimbursement by the State as bid items in a construction contract.

**Itemized Allowance**

Use of an itemized allowance items may only be included in a contract with prior approval of the State. Any use of an itemized allowance bid item as part of a grant must be for a clearly defined portion of the project. (For example: cabinet allowance – cabinets in terminal storage room as shown on plans to be selected by Sponsor, or carpet allowance – industrial Berber carpet for 200 SF lobby to be selected by Sponsor) Each contract allowance item must be approved by the State in order to be included in the bid package. The State will not approve use of an item to cover expenses not directly related to the item. (For example: Left over funds from cabinet allowance cannot be used to purchase light fixtures)

**Construction Inspection**

Airport planning, design, project estimates, bidding, and construction inspection are the direct responsibility of the Sponsor and may be accomplished by the Sponsor's staff or by a qualified consultant. The Sponsor shall provide and maintain competent technical supervision throughout the Project to assure that the work conforms to the plans, specifications and schedules approved by the State and the Sponsor.

Construction inspection shall be accomplished by, or under the direct supervision of a qualified engineer registered by the State of Arizona.

The Sponsor shall subject the construction work and any related documentation on any Project contained in an approved Project application to inspection and approval by the State and the FAA. The State shall, if in accordance with regulations and procedures, prescribe such work as needed for the Project.

**Change Orders**

The Sponsor shall notify the State in advance of the need for a change. Such notification shall clearly define the changed or added bid items, the locations of changed work, the quantities and costs of changed work, and the time required for the change. Justification for the change must be provided to the State by the Sponsor. Change orders may be approved by the State only if they are clearly necessary to accomplish the original grant scope. If approval is granted by the State, the Sponsor shall follow up with the written change order for the State's review and approval in a timely manner. The Sponsor may not request reimbursement for the work done under a change order until the change order is approved by the State.

**Construction Contract Documents**

**Any changes to the construction contract documents (including scope, time and amount), authorized by the Sponsor, must be approved by the State prior to being implemented by the Sponsor in order to be eligible for reimbursement under the grant.** All changes, as well as any notifications and approvals related to the changes, shall be documented in the final contract documents, change orders, and as built plans provided to the State at the end of the contract. Verbal requests and approvals are not sufficient as documentation for reimbursement. Final reimbursements will not be made until all documentation is received by the State.

**Design/Construction Project Schedules**

The Schedule Forms are intended to identify and monitor project scope, costs, and basic milestones that will be encountered during various phases of the Project. The Sponsor shall complete these three schedules showing the project description and total costs, project reimbursements (cash flow) schedule and project milestones.

Schedule One shows the total Project estimated costs associated with each share - State and Federal and Local. Schedule Two shows a projected cash flow for State funds only. The Sponsor is to estimate requests to the State for Project reimbursement. Schedule Three shows anticipated dates of Project milestones. These schedules will be used to keep track of the Project's progress. Be sure to develop realistic schedules.

As the project progresses, and the original reimbursement schedule and or milestone dates change, the Sponsor must submit a revised Schedule to the State for approval.

**Schedule One**  
**Design/Construction Project Description and Funding Allocation**

**Detailed Project Description:**

**Rehab. Parallel Twy C (75 ft x 3,000 ft) and Rehab. South Apron (17,600 sy)**

<b>Project Cost Category</b>	<b>Total Estimated Project Cost</b>	<b>Estimated Local Share</b>	<b>Estimated Federal Share</b>	<b>Estimated State Share*</b>
Design/Engineering Services	\$ 15,572	\$ 389	\$ 14,793	\$ 390
Construction	\$ 2,499,902	\$ 62,498	\$ 2,374,907	\$ 62,497
Construction Engineering	\$ 294,037	\$ 7,351	\$ 279,335	\$ 7,351
Sponsor Administration**	\$ 6,782	\$ 170	\$ 6,443	\$ 169
Sponsor Force Account Work***	\$	\$	\$	\$
Contingencies	\$	\$	\$	\$
<b>Total Project Costs</b>	<b>\$ 2,816,293</b>	<b>\$ 70,408</b>	<b>\$ 2,675,478</b>	<b>\$ 70,407</b>

\*Total of this column to be used in Schedule Two.

\*\* Sponsor Administration is not eligible for reimbursement above 5% of the project costs.

\*\*\* All force account work is to be approved by the State prior to the grant agreement being signed.

**NOTE: The Sponsor must attach a project plan based upon the ALP that clearly shows the scope and the limits of the work.**

## Schedule Two

### Design/Construction Project Reimbursement Schedule

The Sponsor must complete this Project Reimbursement Schedule showing the projected cash flow of State grant funds only for this Project. Projections must include all consultant and contractor services. The reimbursement schedule should be a realistic schedule and will be used to keep track of a project's progress. Reimbursement requests must be submitted regularly by the Sponsor while the grant is active. The cash flow should reflect when a request is submitted to the State, not when invoices are paid by the Sponsor.

#### **Instructions:**

- 1) For "Total State Funds" below, enter the Total Project Costs/Estimated State Share from Schedule One.
- 2) For each month/year, indicate the projected reimbursement request amount for State Funds Only (use whole dollars only, e.g. \$540 or \$1,300).
- 3) Continue the process by entering a Zero (Ø) in the month/year for which no reimbursement is anticipated and/or a dollar amount of the reimbursement, until the total State funds are accounted for in the cash flow.

**Total State Funds:    \$ 70,527**

### Projected Reimbursement Requests / State Cash Flow

<i><b>Calendar Year</b></i>	Jan	Feb	Mar	Apr	May	Jun
2015	\$	\$	\$	\$	\$	\$
2016	\$	\$ 2,500	\$ 2,500	\$ 15,000	\$ 15,000	\$ 25,000
2017	\$	\$	\$	\$	\$	\$
2018	\$	\$	\$	\$	\$	\$
2019	\$	\$	\$	\$	\$	\$
<i><b>Calendar Year</b></i>	Jul	Aug	Sep	Oct	Nov	Dec
2015	\$	\$	\$	\$	\$	\$
2016	\$ 7,500	\$ 3,027	\$	\$	\$	\$
2017	\$	\$	\$	\$	\$	\$
2018	\$	\$	\$	\$	\$	\$
2019	\$	\$	\$	\$	\$	\$

**Grants expire 4 years from the date of the grant offer. The Sponsor shall schedule the work to be completed within the 4 years.**



### Schedule Three Design/Construction Project Milestones

#### Milestone Duration Guidelines

The below duration periods are intended to provide guidelines for you to consider. These are average time periods (in calendar days), but it is understood these periods may vary by Sponsor and Project, and are subject to modification. If an entry on the form is not applicable, write N/A.

- 1) The Consultant Selection Phase for all Projects, regardless of type, is approximately ninety (90) days but should not exceed one hundred eighty (180) days.
- 2) The Design/Engineering Phase is subject to the type and complexity of the Project, however, most designs can be accomplished within one hundred eighty (180) days to two hundred and seventy (270) days.
- 3) The Bidding Phase typically should be sixty (60) days or less.
- 4) The Construction Phase is dependent upon the type of Project, the airport traffic, and the available construction season, generally ninety (90) days to three hundred sixty (360) days.
- 5) The State review periods should be fifteen (15) days.

#### Design/Construction Milestone Schedule

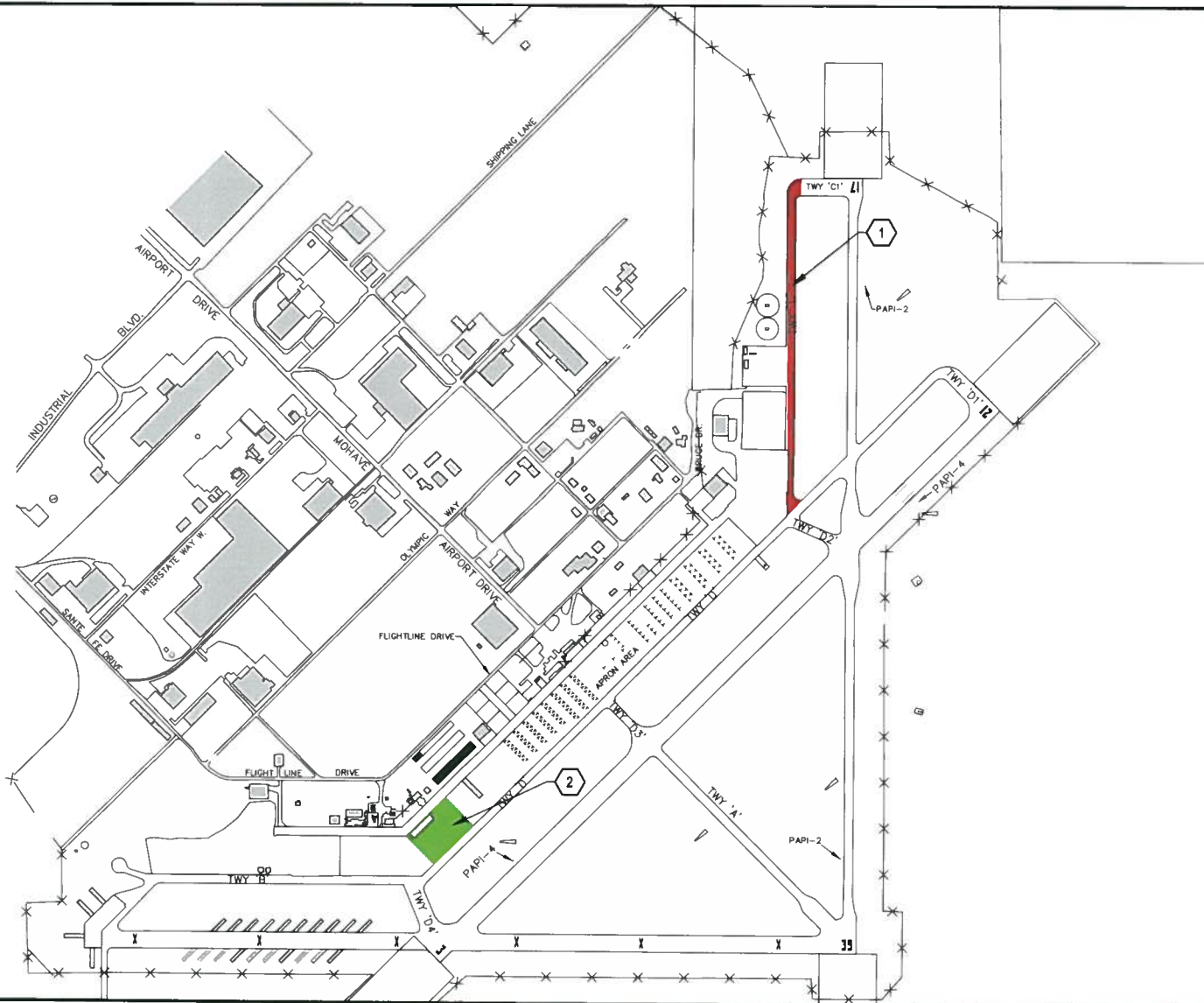
Milestones	Duration # of Days	Start Date		Completion Date	
		Proposed	Actual	Proposed	Actual
Consultant Selection Phase					
Submit Scope for State Review/Approval*					
Submit Contract for State Review/Approval					
Award Consultant Contract					
Design & Engineering Phase					
Sponsor Issue Notice to Proceed/Start Design					
Conduct 30% Design Review/Approval					
Conduct Final Design Review/Bid Set Submitted (100%) for Review/Approval					
Bidding Phase					
Bid Set Submitted (100%) for Review/Approval					
Issue Invitation for Bids					
Submit Bid Tab for State Review/Approval					
Award Construction Contract/Submit to the State					
Construction Phase					
Pre-Construction Meeting		2/2016			
Issue NTP – Begin Construction	150	3/1/16			
Final Inspection		7/2016			
Submit As-Built & Final Documentation		8/2016			
Submit Final Reimbursement Request and Sponsor Closeout Letter		8/2016			

\* The solicitation for qualifications and the service agreements must contain a list of projects, including this grant project, per A.R.S. 34-Chapter 6.

# KINGMAN AIRPORT

## TAXIWAY C AND SOUTH RAMP RECONSTRUCTION PROJECT

### ADOT No. E6F2S



### LEGEND

- 1 CONSTRUCT TAXIWAY CHARLIE RECONSTRUCTION
- 2 SOUTH RAMP RECONSTRUCTION, PHASE 6





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Tina D. Moline, Financial Services Director

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Selection of audit firm to perform professional auditing services for FY2015 - FY2019

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### **SUMMARY:**

In November 2015, the City of Kingman terminated its relationship with its audit firm, Heinfeld Meech. Prior to the termination, the City's FY2015 audit had not been completed. A Request for Proposal to hire an audit firm to perform professional auditing services for FY2015 - FY2019 was submitted on December 11, 2015.

Interested proposers could submit proposals until January 8, 2016. An evaluation committee reviewed, discussed, and scored each proposer's submission. Attached is the combined scoring sheet which includes the scores of each evaluator. Price is not the only determining factor in an RFP of this nature. As written in the RFP, the general approach is to identify all qualified, responsive proposers and then award the audit to the lowest proposer in that group.

Of the six proposers, two proposers, HintonBurdick and CliftonLarsonAllen, responded to all mandatory elements, provided responses to all technical requirements, and included hours and rates for all schedules. Those proposers were also scored highly (above 90%) by each evaluator.

HintonBurdick's total 5-year cost to perform professional auditing services is \$229,775 - FY15 \$43,750; FY16 \$44,050; FY17 \$45,300; FY18 \$46,250; FY19 \$47,675; and FY18 Municipal Court External Review \$2,750.

CliftonLarsonAllen's total 5-year cost to perform professional auditing services is \$316,590 - FY15 \$60,215; FY16 \$61,665; FY17 \$63,145; FY18 63,145; FY19 \$63,920; and FY18 Municipal Court External Court Review \$4,500.

Reference checks were conducted to verify the following:

1. Extent of internal control reviews;
2. Ability to meet timelines;
3. Staff experience and turnover; and,
4. Access to the audit firm for general accounting and auditing procedure inquiries throughout the year of which should be included in the annual audit cost.

Many references were contacted, but very few responded. Of the respondents, HintonBurdick received one negative reference and one positive reference, and CliftonLarsonAllen received three positive references. If additional references are submitted after this communication is drafted, staff will provide Council with an update.

**FISCAL IMPACT:**

Since a portion of the FY2015 budgeted audit expense has already been expended, contingency from the general fund will be needed to cover most of the first year (FY2015 audit services) of this award. At this time, it is uncertain as to the amount of this request.

**STAFF RECOMMENDATION:**

Although the general approach is to identify all qualified, responsive proposers and then award the audit to the lowest proposer in that group, staff recommends Council award the professional auditing services contract to CliftonLarsonAllen.

**ATTACHMENTS:**

Description

Combined Scoring Sheet

Bid Tabulation Sheet

**REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Moline, Tina	Approved	1/13/2016 - 5:06 PM
City Attorney	Cooper, Carl	Approved	1/13/2016 - 6:36 PM
City Manager	Dougherty, John	Approved	1/13/2016 - 6:58 PM

EVALUATOR TABULATION FORM																			
RFP NO.: B-6 RFP TITLE: PROFESSIONAL AUDITING SERVICES	Possible Points	Evaluator: A						Evaluator: B											
		Henry & Horne, LLP		CliftonLarsonAllen		Lumbard & Associates, PLLC		BeachFleischman		HintonBurdick		EideBailly							
		Henry & Horne, LLP		CliftonLarsonAllen		Lumbard & Associates, PLLC		BeachFleischman		HintonBurdick		EideBailly							
		Henry & Horne, LLP		CliftonLarsonAllen		Lumbard & Associates, PLLC		BeachFleischman		HintonBurdick		EideBailly							
		Henry & Horne, LLP		CliftonLarsonAllen		Lumbard & Associates, PLLC		BeachFleischman		HintonBurdick		EideBailly							
		Henry & Horne, LLP		CliftonLarsonAllen		Lumbard & Associates, PLLC		BeachFleischman		HintonBurdick		EideBailly							
1. The firm's municipal experience, expertise and references of past agencies / clients.	30	25	20	15	15	25	22	30	30	30	30	27	30	25	28	30	30		
2. The quality of the firm's professional and support personnel to be assigned to the engagement.	30	25	25	20	20	22	28	29	29	28	30	30	28	28	20	30	30	29	
3. Firm's ability to provide additional professional services to City of Kingman.	20	10	13	15	12	15	15	19	20	20	19	19	15	20	20	0	20	15	
4. Description of audit approach..	25	18	18	18	15	18	18	25	25	25	25	25	20	25	23	20	24	23	
5. Estimated number of hours to be devoted to project and type of personnel.	20	15	18	17	15	18	18	15	19	18	17	20	20	14	17	10	16	15	
6. Work plan and schedule.	30	25	25	20	20	25	25	30	30	30	30	30	30	30	20	0	28	28	
7. Procedures followed in technical review reports prior to issuance.	20	10	16	16	16	18	17	20	20	20	20	20	0	20	20	0	20	0	
8. Price.	25	24	22	20	21	25	23	23	23	21	25	23	24	22	20	21	25	23	
Total Points		200	152	157	141	134	166	166	191	196	192	191	196	164	189	165	109	193	163
Henry & Horne, LLP		507		542		498		434		555		526							
CliftonLarsonAllen																			
Lumbard & Associates, PLLC																			
BeachFleischman																			
HintonBurdick																			
EideBailly																			

## Bidder's Tabulation Sheet

**PROJECT:**

City of Kingman RFP Finance Audit

**BID OPENING:**

01/08/2016 3:00 P.M. Arizona time

**BUDGETED AMOUNT:**

BIDDERS NAME AND ADDRESS	Spec Received	Addendum	Bid Bond Attached	BID PROPOSAL					
				CONTRACT PRICE	ALTERNATES				
					BID A	BID B	BID C	BID D	BID E
Hinton Burdick, PLLC				FY15- \$43,750	FY15-FY19 \$227,025				
63 South 300 East, Suite 100				FY16- \$44,050					
PO BOX 38				FY17- \$45,300					
St George, UT 84771				FY18-46,250					
				FY19- \$47,675					
Eide Bailly, LLP				FY15- \$59,880	FY15-FY19 \$308,995				
8485 W. Sunset Rd #204				FY16- \$59,880					
Las Vegas, NV 89113				FY17- \$61,635					
				FY18- \$63,030					
				FY19- \$64,570					
Beach Fleischman				FY15- \$64,000	FY15-FY19 \$335,750				
1985 E. River Rd, #201				FY16- \$65,500					
Tucson, AZ 85718				FY17- \$67,000					
				FY18- \$68,750					
				FY19- \$70,500					
Lumbard & Associates, PLLC				FY15- \$69,950	FY15-FY19 \$363,980				
4143 N. 12th St, #100				FY16- \$71,350					
Phoenix, AZ 85014				FY17- \$72,770					
				FY18- \$74,220					
				FY19- \$75,680					
Clifton Larson Allen				FY15- \$60,215	FY15-FY19 \$312,090				
20 E. Thomas Rd., #2300				FY16- \$61,665					
Phoenix, AZ 85012				FY17- \$63,145					
				FY18- \$63,145					
				FY19- \$63,920					
Henry & Horne, LLP				FY15- \$53,870	FY15-FY19 \$280,342				
2055 E. Warner Rd., #101				FY16- \$54,947					
Tempe, AZ 85284				FY17- \$56,046					
				FY18- \$57,167					
				FY19- \$58,311					

**Present:**

Tina D. Moline

Posted By:

Date & Time:

Witnessed By:



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Robert J. DeVries, Chief of Police

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Review of Kingman Police Department (KPD) Lieutenant exempt classification

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### **SUMMARY:**

On November 17, 2015 the City Council reviewed a proposal from the Fire Department to reclassify three (3) Battalion Chiefs from exempt status to hourly status in pay grade 221. The agenda item was tabled when concerns were expressed by the Police Department Lieutenants.

On December 15, 2015 the agenda item was returned to City Council and the reclassification was approved. Council requested a report from the Police Department at the 2nd meeting in January to reflect department challenges.

The department has prepared a report (see attached power point) that highlights current staffing levels, demand for service, challenges and a proposal that will keep Lieutenants at exempt status under pay grade classification 221.

### **FISCAL IMPACT:**

The impact will be dependent upon demand and calls for service. Staff will work diligently to maintain costs within the established department budget.

### **STAFF RECOMMENDATION:**

Staff recommends implementing a change to the Lieutenant position, pay grade classification 221, with the addition of overtime under a "operational / situational call out" method or referring the proposal to the Management Team Compensation Committee for further review.

### **ATTACHMENTS:**

Description

PowerPoint Presentation

### **REVIEWERS:**

Department	Reviewer	Action	Date
Police Department	DeVries, Robert	Approved	1/8/2016 - 4:31 PM
City Attorney	Cooper, Carl	Approved	1/12/2016 - 3:53 PM
City Manager	Dougherty, John	Approved	1/13/2016 - 1:07 PM



# Kingman Police Department





# Investigations

Lieutenant Jim Brice

Detectives

Flex Team/K9

SRO Program

Evidence Technicians

WALEA Training Committee

Tri-State Investigators

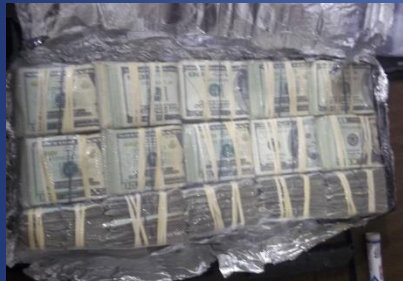
Testing and Hiring Process for Sworn Personnel



**POLICE INVESTIGATION**  
**POLICE LINE DO NOT CROSS**

# MAGNET/GIITEM

## Lieutenant Mark Chastain



MAGNET Investigations  
GIITEM Investigations  
DART Team  
HIDTA Unit Commander  
Arizona DHE Committee  
Terrorism/WMD/Hazmat  
KPD Bomb Unit  
Grant Statistical Reporting



# Patrol

## Lieutenant Bob Fisk

Patrol  
Patrol K9  
Traffic  
Neighborhood Services  
VIPS  
WALETA  
STAT Team  
FTO Program  
Cadets  
Bike Patrol  
Vehicle Assignments





# KPD Challenges

- Vacant Deputy Chief/Captain has the department operating with less Command Structure than the early 1990's.
- Inability to adjust time off due to staffing and/or legislative and court mandated time parameters.
- Currently the Patrol Division is operating at 72% of the officers with less than 5 years of experience.
- In 2015 the department experienced a 10.3% increase in call volume. (Excluding Neighborhood Service and Animal Control Calls)



# Impact on Succession Planning

- Increased responsibility with loss of overtime for exempt employees.
- For each officer lost to another agency our direct cost is \$67,984.00. Since 2005, we have lost 30 officers equating to a direct loss of \$2,099,520.00 over the past 10-years.
- Success in recruiting is due to current tenured officers and first line supervisors.
- Need to focus on that group in FY 16/17 to prevent loss of motivation and recruitment.



# Proposal

- Current Lieutenants (3) remain at pay grade classification 221 along with Battalion Chiefs and Assistant Magistrate
- Current Lieutenants (3) remain exempt employees.
- Implement an “Operational/Situational Call Out” status that provides overtime for the Lieutenant when they are operating in a major incident in an “operations” mode versus “administrative” mode.
- Focus on tenured officers and sergeants for compression in FY 16/17





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Gary Jeppson

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Consideration of Ordinance 1806: Kingman Crossing Planned Development District (PDD)

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### **SUMMARY:**

At its January 5, 2016 meeting, the City Council tabled action on Ordinance #1806 to allow staff to provide the Council with information concerning pole signs in the Kingman Crossing area located north of the proposed Kingman Crossing Traffic Interchange.

There are three zoning districts in the proposed Kingman Crossing area north of the proposed Kingman Crossing area. The first zoning district, Ordinance #1600 is for the hospital property north of Santa Rosa Boulevard and west and east of Kingman Crossing Boulevard. The other two zoning districts are located north of I-40 and south of Santa Rosa Boulevard. All three zoning districts allow freestanding signs; 300-square feet. Mural are permitted in the zoning districts on the north side.

### **FISCAL IMPACT:**

The developemnt of the Kingman Crossing area is projected to bring increased transaction privilege tax revenue.

### **STAFF RECOMMENDATION:**

Adoption of Ordinance #1806

### **ATTACHMENTS:**

Description

Ordinance No. 1806

Ordinance #1600 HMMC Zoning District

Ordinance #1604 KMX North

### **REVIEWERS:**

Department	Reviewer	Action	Date
Development Services	Jeppson, Gary	Approved	1/8/2016 - 10:35 AM
City Attorney	Cooper, Carl	Approved	1/8/2016 - 4:51 PM
City Manager	Dougherty, John	Approved	1/12/2016 - 2:23 PM

WHEN RECORDED HOLD FOR  
KINGMAN CITY CLERK  
310 N. 4<sup>th</sup> Street  
Kingman, AZ 86401

**CITY OF KINGMAN  
ORDINANCE NO. 1806**

**AN ORDINANCE BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: FOR THE REZONING CERTAIN PROPERTY DESCRIBED IN EXHIBIT "A" AND ILLUSTRATED IN EXHIBIT "B" ATTACHED, FROM R-R: RURAL RESIDENTIAL TO KINGMAN CROSSING PLANNED DEVELOPMENT DISTRICT AS SHOWN IN EXHIBIT "C"**

**WHEREAS**, The City of Kingman is the owner of land described in Exhibit "A" of this ordinance; and,

**WHEREAS**, The City of Kingman desires to create a planned development district in accordance with Section 19.000 PLANNED DEVELOPMENT DISTRICT (PDD) of the Zoning Ordinance of the City of Kingman, Arizona, to ensure compliance with the General Plan and good zoning practices, while allowing certain desirable departures from the strict provisions of specific zone classifications; and

**WHEREAS**, the subject property proposed for PDD zoning district is approximately 151-acres and is described as a portion of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, AZ, and further described in Exhibit "A" and illustrated in Exhibit "B" attached, and

**WHEREAS**, this proposed zoning district is in accordance with the projected land use and density standards of the adopted City of Kingman General Plan 2030 Update, and

**WHEREAS**, the requested zoning district will facilitate the development of a proposed retail development; and

**WHEREAS**, the Planned Development District designation of the subject site is intended to provide for various types of land uses compatible with retail and restaurant uses while excluding other uses which are not compatible with a retail shopping center, and

**WHEREAS**, the Kingman Planning and Zoning Commission held a public hearing in the Kingman Crossing Planned Development District text amendment and zoning map amendment on December 8, 2015 and following the public hearing by a five-to-zero vote in the affirmative recommended adoption of the Kingman Crossing Planned Development District and zoning map amendment; and

**WHEREAS**, the Kingman Common Council has the authority to approve this request pursuant to the City of Kingman Zoning Ordinance, Sections 13.000, 19.000 and 31.000.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the City of Kingman, Arizona as follows:



**SECTION 1:** The text of the Kingman Crossing Planned Development District as stated in Exhibit "C" is hereby adopted. The text shown in the underline format is an addition and the ~~strikeout text~~ is a deletion to the Zoning Ordinance of the City of Kingman, Arizona.

**SECTION 2:** That upon the issuance of a notice to proceed by the Arizona Department of Transportation and beginning of construction of the Kingman Crossing Traffic Interchange, the subject property which is described in Exhibits "A" and "B" attached shall be rezoned to the Kingman Crossing Planned Development District as presented in Exhibit "C" of this ordinance.

**SECTION 3:** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a decision of competent jurisdiction, such decision shall not invalidate the remaining portions thereof.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona this 19th day of January, 2016.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Sydney Muhle, City Clerk

\_\_\_\_\_  
Richard Anderson, Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Carl Cooper, City Attorney

Exhibit "A"  
"LEGAL OF AREA TO BE REZONED"

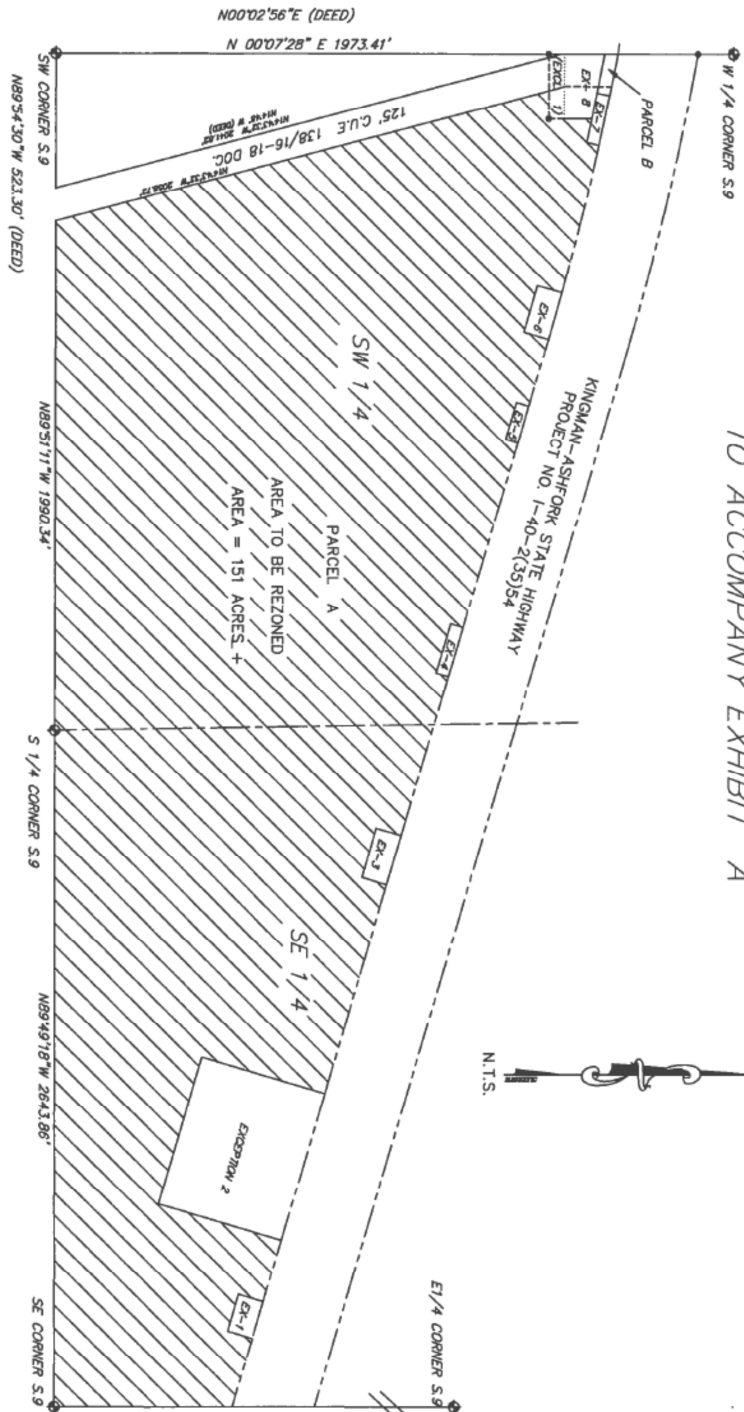
A portion of the South One Half (1/2) of Section 9, T. 21 N., R.16 W., G. & S.R.M., Mohave County, Arizona as shown on Retracement and Dependent Resurvey of a Portion of the South East One Quarter and the South West One Quarter of Section 9 lying within the area as described as follows;

That portion of said section 9 as described in Book 3550 page 368 Official Records of Mohave County, Arizona and shown as Parcel A and B on said resurvey plat and lying Easterly and adjacent to an 125' wide Electrical Transmission Easement as described in Book 138 pages 16-18 of Dockets Mohave County Recorder.

This area contains 151 acres more or less based on recorded deeds and surveys.



# EXHIBIT "B" TO ACCOMPANY EXHIBIT "A"



## ***EXHIBIT “C”***

### **18.000 RESERVED FOR FUTURE USE KINGMAN CROSSING PLANNED DEVELOPMENT DISTRICT (KINGMAN CROSSING PDD)**

#### **18.100 INTENT AND PURPOSE**

This district is intended to provide for the development of business and service uses designed to meet the needs of the Kingman Crossing area located south of Interstate-40. Such areas will provide a wide variety of goods and services in establishments whose operating characteristics require good exposure in a readily identifiable and accessible commercial setting. Provisions of this district are designed to ensure that such commerce will be compatible with adjacent, non-commercial development and to minimize any undesirable effects of heavy traffic or other operating characteristics.

#### **18.200 GENERAL PROVISIONS**

##### **18.210 PERMITTED USES**

Land shall be used and buildings/structures shall hereafter be erected, altered, enlarged, or otherwise modified for the following permitted uses:

Ambulance services  
Animal hospitals and small animal boarding  
Antique shops  
Art and school supply stores  
Art galleries – but not including auction rooms  
Auto accessories and parts store  
Automobile rental and service; all repairs must be conducted within an enclosed building.  
Automobile repairs, but not including body repair  
Automobile sales and service, new and used  
Automobile service stations  
Bakery  
Banks and financial institutions  
Barbershop/beauty parlor  
Bed and breakfast establishments  
Bicycle stores – sales, rental and repair  
Blueprinting establishments  
Book and stationery stores  
Building material sales  
Cabinet shops  
Camera and photographic supply stores  
Candy and ice cream stores  
Carpet and rug stores  
Catering establishments  
China and glassware stores  
Cleaning and dyeing, coin operating, pick-up station and/or using non-explosive solvents  
Clothing and costume rental establishments  
Coffee shops, sandwich shops, and bagel shops  
Coin and philatelic stores  
Computer and electronic component sales and service  
Convalescent or nursing home  
Delicatessen  
Department store

Drafting service  
Restaurants, including outdoor dining and fast-food with drive-through service.  
Electrical and household appliance stores – including radio, sales, accessory repair, and service  
Employment offices  
Equipment and appliances, household – service and repair shops  
Exterminating shops  
Family, Group, or Commercial Day Care Facilities  
Florist shops  
Flower shops and conservatories  
Food stores, grocery stores, meat markets, delicatessens and frozen food stores  
Funeral parlors and accessory uses not including outside monument storage  
Furniture stores  
Garden supply and plant nurseries, providing that all areas devoted to outdoor storage of other than live plant material shall be completely screened from view abutting streets and highways and from abutting properties. No bulk storage of sand, gravel, fertilizer or other chemical or organic materials is permitted. Does not include medical marijuana cultivation facilities  
General offices, including banks and financial establishments  
Gift shops  
Glass replacement and repair (including auto glass)  
Haberdasheries and millinery shop or hat repair  
Hardware stores  
Health care or therapeutic services, but not medical marijuana dispensaries.  
Health centers  
Heating, plumbing, ventilating, refrigeration and air-conditioning sales and service  
High-density multiple-family developments  
Hobby shops – for retailing of items to be assembled or used away from the premises  
Hotels and motels - including dining and meeting rooms  
Instructional Schools (not providing housing, dormitories or sleeping overnight)  
Instructional Schools or Trade Schools, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences (not providing housing, dormitories or sleeping overnight)  
Interior decorating shops  
Jewelry stores  
Job printing and related retail sales  
Laboratories – medical, dental with accessory research, and testing  
Laundries  
Leather goods and luggage stores  
Linen supply services  
Liquor stores  
Loan offices  
Locksmith shops  
Low density multiple-family developments  
Mail order service stores  
Medical and dental clinics  
Medical and dental offices and clinics  
Music and dance studios  
Musical instrument sales and repair  
Newspaper offices – including printing  
Office supply stores  
Offices – business, professional or public  
Opticians, optometrists and ophthalmologists  
Orthopedic and medical appliance stores – but not including assembly or manufacture of such articles  
Paint and wallpaper stores  
Parcel delivery services  
Parking lots and storage garages for automobiles

Pet shops – including grooming  
Photography studios – including developing and printing of photographs when conducted on the premises as part of the retail business  
Picture framing – when conducted on the premises for retail trade  
Post offices  
Pre-Schools  
Printing establishments  
Public Assembly – Indoor, General  
Public Assembly – Indoor, Entertainment  
Public libraries  
Radio and television broadcasting studios provided that no broadcast antenna exceed the height of fifty (50) feet and no dish style antenna exceed one-point-five (1.5) meters in diameter.  
Real estate and title companies  
Recording studios  
Restaurants – including live entertainment and dancing  
Schools, commercial or trade, not involving any danger of fire, explosion nor offensive noise, vibration, smoke, dust, odor, glare, heat or other objectionable influences; and not providing housing, dormitories or sleeping overnight.  
Shoe stores – sales or repair  
Sporting goods stores  
Stamp and coin hobby shops  
Tailor shops  
Tattoo parlors  
Tavern or cocktail lounge  
Telephone answering service  
Theaters – not including drive-in theaters  
Tobacco shops  
Tool and cutlery sharpening or grinding  
Toy Stores  
Travel agencies  
Travel bureaus and transportation ticket office  
Variety stores  
Vending machine sales and service  
Wholesale establishments with storage of merchandise  
Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is fifty (50) feet. (See also Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

Accessory uses to the above permitted uses. Uses not explicitly enumerated in this section as permitted uses but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

### **18.220 USES WHICH MAY BE PERMITTED BY CONDITIONAL USE PERMIT**

The following uses may be permitted subject to approval of a Conditional Use Permit as provided in Section 29.000: CONDITIONAL USE PERMITS:

Car washes  
Schools, Private School, Charter School, or Community College providing housing, dormitories or sleeping overnight.  
Wireless Communication Facilities located or co-located on an existing building or structure, if concealed or camouflaged. Maximum height of all facilities is two-hundred-fifty (250) feet. (See also Subsection 26.1000: WIRELESS COMMUNICATION FACILITIES in Section 26.000: GENERAL DEVELOPMENT STANDARDS.)

Uses not explicitly enumerated in this section as permitted uses but closely similar thereto, provided that these uses are not explicitly mentioned as permitted or conditional uses elsewhere in this ordinance.

### **18.300 GENERAL**

#### **18.310 LOT AREA**

All lots hereafter created in this district shall contain a minimum of seventy-five-hundred (7,500) square feet. The specified lot area size is not intended to prohibit two (2) or more separate uses on a lot where the lot is in undivided ownership.

#### **18.320 LOT WIDTH**

Not less than seventy-five (75) feet

#### **18.330 YARDS**

Yard abutting street: 25-feet; such areas shall be landscaped.

Interior lot line: zero

Lot abutting residentially zoned property: 25-feet. Parking may be allowed in the setback area abutting a residential zoning district, but commercial truck deliveries or outdoor storage purposes, including the placement of storage containers are not permitted in these areas.

#### **18.340 BUILDING HEIGHT**

Not to exceed fifty (50) feet

#### **18.350 DISTANCE BETWEEN BUILDINGS**

Buildings not actually adjoining shall be provided with a minimum six (6) foot separation.

#### **18.360 OFF-STREET PARKING AND OFF-STREET LOADING**

See Section 22.000: OFF-STREET PARKING AND LOADING REQUIREMENTS

#### **18.370 CONDUCT OF USES**

All business, service, storage, and merchandise display shall be conducted wholly within an enclosed building or an opaque enclosure, including porches, except for off-street automobile parking, off street loading, and the usual pumping operations of gasoline sales and permitted open sales or storage lots. Vehicle repair and service work may be performed outside of an enclosed building. Any vehicle that does not have the repair completed by the end of the business day must be placed in an enclosed building or behind a screen enclosure that meets the standards of Section 26.800 STORAGE FACILITIES, subsection 26.810 ALL COMMERCIAL AND INDUSTRIAL USES HAVING PERMITTED OUTSIDE STORAGE OR DISPLAY OF MERCHANDISE, MATERIAL, OR EQUIPMENT. Mechanical equipment **may not** be erected or constructed outside an enclosed building necessary to repair or service vehicles. **Service bays shall be oriented to the north.**

When a lot is used for commercial purposes and abuts a lot within any developed residential district, a masonry wall of not less than six (6) feet or more than eight (8) feet in height shall be erected and maintained along the abutting side and/or rear yard line prior to **a certificate of occupancy for the building being issued.**

Said wall shall be reduced to thirty-six (36) inches in height within a required front yard of the adjacent residential property. If there is a dedicated alley or public roadway separating the commercial property from the residential property, the alley or public roadway shall serve as the buffer and the masonry wall shall not be required unless so specified by ordinance relating to the rezoning of the subject property.

### **18.400 SITE DEVELOPMENT**

1. A project shall be developed to be compatible with the immediate environment of the site and to be sensitive to the surrounding neighborhood. Damage to the natural environment should be minimized. Clear grading of lots, especially large lots, should be avoided.
2. Projects shall be designed to minimize interference with the privacy, quiet and views of neighbors.
3. Projects shall be designed to minimize traffic problems.
4. Projects shall be designed to retain a site's natural topography whenever possible. The project should be planned to fit the site's natural conditions rather than altering the site to accommodate the project. Excessive cuts and fills should be avoided.
5. The street pattern should respond to topography. Curvilinear streets may have to be used in some instances.
6. All developments shall have the buildings setback a minimum of 25-feet from the street property lines and residential zoning district lines.
7. Curb cuts on arterial and collector streets shall be limited. The guidelines for access onto arterial and collector streets as follows:
  - a. No driveway onto an arterial street or collector street shall be located closer than one-hundred (100) feet to the nearest intersecting curb line.
  - b. Access to and from arterial and collector streets should be limited to street intersections. Properties with frontage on these streets should have access by a parallel road or a side street when this option is available. One (1) driveway will be permitted on side streets when the frontage is less than two-hundred (200) feet. Two (2) driveways will be permitted on side streets when the frontage is three-hundred (300) to six-hundred (600) feet.
  - c. The use of shared driveways between adjacent parcels on arterials is required when appropriate.
  - d. Adjacent driveways should be no closer than sixty (60) feet.
  - e. Driveways on opposite sides of a street should not be offset less than one-hundred-fifty (150) feet.
8. A main driveway into a site should have adequate space for stacking of vehicles. If over forty (40) parking spaces are required by the use and building size, fifty percent (50%) of the required parking spaces should be located to the side or rear of the proposed building.
9. Access to and from arterial and collector streets should be limited to street intersections. Properties with frontage on these streets should have access by a parallel road or a side street when this option is available.



10. Sidewalks and tree landscaping (properly irrigated and maintained by the property owner) shall be required in accordance with Section 10.000 LANDSCAPING of this ordinance.
11. Exterior lighting, when used, shall adhere to Section 34.000: OUTDOOR LIGHTING CODE, of the City Zoning Ordinance.
12. There should be a pleasant transition from the street to the buildings. This can be accomplished by the use of sidewalks and landscaping.
13. The site organization of a project should take into consideration the arrangement of building in relation to open spaces, landscaping and the elements of adjacent sites.
14. Proportion, scale, continuity and balance should prevail in all aspects of a project.

## **18.500 LIGHTING**

### **A. Purpose and Applicability.**

1. Purpose. It is intended to ensure appropriate lighting levels that support way-finding and crime prevention, assist people with visual impairments, allow flexibility in architectural design, minimize undesirable light and glare into adjoining properties and minimize light pollution into the nighttime sky.
2. Applicability. This subsection applies to lighting for uses on-site. It does not apply to streetlights in the public right-of-way, which are governed by the City of Kingman Street and Sidewalk Regulations. All exterior lighting installations require the approval of the Development Services Director or designee, prior to installation. Any person applying for a building, electrical or sign permit to install outdoor lighting fixtures shall, as a part of said application, submit evidence that the proposed work will comply with the provisions of this subsection.

### **B. Photometric Plan.**

Any building or development submitted for a building permit shall contain information on the type of lighting and illumination levels proposed (photometric plan). The contents of photometric plans shall be as specified in Appendix E.

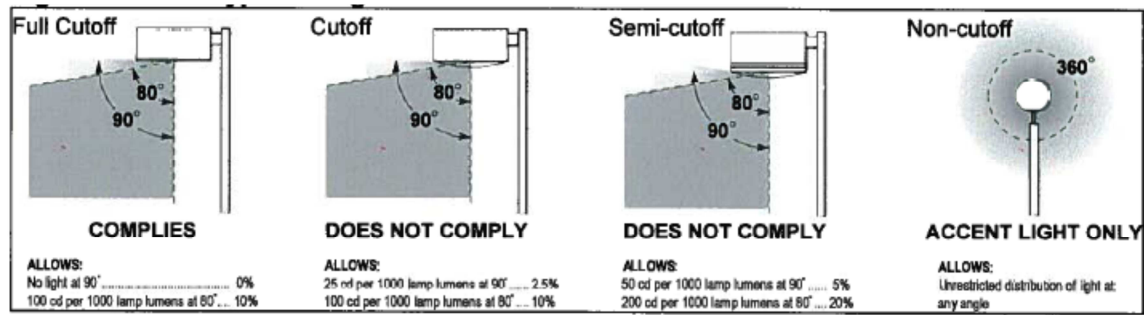
### **C. Lighting Standards.**

Prior to issuance of a building, electrical or sign permit, the Development Services Director, or designee, shall determine that the submitted plans and details for said permit are in conformance with the following standards. The stamping of the plans and the signature of the Development Services Director, or designated representative, and the date of the signature shall indicate that the plans are in conformance. Should the applicant desire to add or subtract outdoor light fixtures or lamps to be installed on private property after a permit has been issued, the applicant shall submit all changes to the Development Services Director or designated representative for approval, with adequate information to assure compliance with this chapter.

1. **Illumination in General.** Exterior lighting shall provide for appropriate and desirable nighttime illumination for all uses on and related to the site, including, but not limited to, pedestrian pathways, plazas, courtyards, building entrances, parking and driveway areas, automatic teller machines (ATMs), and other outdoor spaces commonly used at night. Lighting of

exterior areas shall reduce conflicts between building design and landscape treatments, provide appropriate surveillance for crime prevention, and minimize glare or intrusive light onto adjoining properties and into the night sky.

2. **Illumination Levels.** The maximum illumination level for on-site lighting is forty (40) foot-candles as measured at grade, based on light loss factor of sixty-eight percent and seventy-two percent (0.72) for high pressure sodium lighting. Refer to subsection E. Exemptions.
3. **Mounting and Operation of Light Fixtures.** The mounting and operation of light fixtures shall be governed by the following:
  - a. Building mounted light fixtures shall be attached only to walls and the top of the fixture shall not be higher than necessary to illuminate the area required;
  - b. In any residential zoning district or within fifty (50) feet of any residential zoning district, freestanding light fixtures shall not exceed eighteen (18) feet in height. Within the next fifty (50) to one hundred fifty (150) feet of any residential zoning district, freestanding light fixtures shall not exceed twenty-five (25) feet in height. In all other locations, freestanding light fixtures shall not exceed thirty (30) feet in height.
  - c. To comply with a. and b. above, height shall be measured from the top of a light fixture to the adjacent grade at the base of the support for that light fixture;
  - d. Controls for lights for rest rooms identified for general public use shall be of the style that cannot be turned off or on by users other than employees of the business;
  - e. Light fixture design:
    - i. All luminaries used for security shall be vandal resistant that resist tampering, incorporate vandal resistant refractors (lens) and be provided with a gasket or seal that is designed to resist rain, dust and insect contamination;
    - ii. Outdoor light fixtures, which are full cutoff to direct all light below a horizontal plane through the bottom of the fixture and have no lens which drops below the fixture may use any illumination source, up to a maximum of forty (40) foot-candles, as provided in subsection C.2;
    - iii. Outdoor light fixtures, which have a lens or diffuser which is visible above the horizontal plane and constructed of white/opal glass, are considered non-cutoff and filtered and shall be limited to the light output equal to a one hundred (100) watt incandescent bulb, no greater than one thousand seven hundred (1,700) lumens;
    - iv. Outdoor light fixtures, which have a lens or diffuser which is visible above the horizontal plane and constructed of clear or prismatic glass, are considered non-cutoff and non-filtered and shall be limited to the light output equal to a fifty (50) watt incandescent bulb no greater than six hundred (600) lumens;



- v. All conduits shall be concealed;
- vi. The foot-candle level at the property line adjacent to a single-family district (from the proposed lighting) shall not exceed one-half (0.5) foot-candle. Lighting next to a residential use shall not spill over onto that use;
- vii. Lighting fixtures used to illuminate an outdoor advertising sign (billboard) shall be mounted on the top of the sign structure and shall comply with the shielding requirements of this subsection;
- f. Ornamental twinkling lights are permitted when part of a window display, patio, landscape or other integral part of a business, provided that they do not exceed one-half (0.5) foot-candles at the property line and do not conflict with the provisions of subsection C.3.e. above, related to adjacent residential use; and
- g. Other conditions related to lighting may be required through development plan review.

**4. Specific Areas to be Illuminated.** The following areas on a building or development shall be illuminated to the minimum security lighting levels shown below:

- a. All loading areas and docks shall be illuminated from dusk to dawn, with four (4) foot-candles of light at finish grade;
- b. Carport parking structures shall be illuminated from dusk to dawn, with three (3) foot-candles, including the adjacent landscape area at finish grade;
- c. Parking structures and parking garages shall be illuminated from dawn to dusk with ten (10) foot-candles, and from dusk to dawn with four (4) foot-candles. Sub-level parking shall be continuously illuminated twenty-four (24) hours a day with four (4) foot-candles at finish grade. Transitional lighting will be required at all entry areas;
- d. All stairwells, landings and under areas under the lower landing shall be continuously illuminated with five (5) foot-candles;
- e. Breezeway lighting shall be illuminated from dusk to dawn, with four (4) foot-candles. Transitional lighting will be required at all entry areas to the breezeway corridor;
- f. Exterior pedestrian pathways and adjacent landscape areas within twenty (20) feet of the pathway shall be illuminated from dusk to dawn, with one-half (0.5) foot-candle of light at finish grade. Pedestrian gates shall be illuminated from dusk to dawn, with five (5) foot-candles and two (2) foot-candles within a fifteen (15) foot radius;

- g. Retention areas shall be illuminated from dusk to dawn, with one-half (0.5) foot-candle of light at finish grade;
- h. Cluster or gang mailboxes shall be illuminated from dusk to dawn, with five (5) foot-candles of light for a fifteen (15) foot radius of the mailboxes;
- i. Parking lots, aisles and refuse areas shall be illuminated from dusk to dawn as follows:
  - i. Parking spaces for motor vehicles and bicycles shall be illuminated with two (2) foot-candles;
  - ii. Parking lot drive aisles shall be illuminated with one (1) foot-candle;
  - iii. Refuse areas shall be illuminated to two (2) foot-candles, with gates five (5) foot-candles;
- j. All building entrances and vehicular gates at operator or locking mechanism shall be illuminated with five (5) foot-candles at the entrance and two (2) foot-candles within a fifteen (15) foot radius from the center point of the entrance; and
- k. Secondary lighting may be required to supplement the primary security lighting due to design elements and landscape conflicts, in order to meet the minimum lighting criteria.

**D. Prohibited Lighting.** Except as provided under subsection E. Exemptions, mercury vapor fixtures is prohibited.

### **E. Exemptions.**

- 1. Exemptions. The following types of lights are exempt from the standards in subsections C and D:
  - a. Lighting used for single-family homes and accessory buildings, provided no measurable light spills over to adjacent property;
  - b. Lighting specifically directed at a flag may be unshielded and unfiltered provided that the beam spread is limited to a narrow spot (approximately seven (7) degrees) and the fixture aperture is concealed by a matrix grid to limit glare;
  - c. Lighting of baseball fields, softball fields, football fields, soccer fields, golf courses and golf driving range, and other similar sporting venues shall be exempt from the height and shielding requirements in subsection C.3.;
  - d. Lighting of baseball fields, softball fields, football fields, soccer fields, golf courses and golf driving ranges, and other similar sporting venues, shall be allowed to exceed the maximum illumination limitation level of forty (40) foot-candles until 11:00 PM. No outdoor recreational facility, public or private, shall be illuminated after 11:00 p.m. except to conclude any recreational or sporting event or other activity conducted at a ball park, outdoor amphitheater, arena, or similar facility in progress prior to 11:00 p.m.;

- e. Automobile dealerships are allowed a maximum illumination level of eighty (80) foot-candles at display areas until 11:00 pm;
- f. Fossil fuel light produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels is exempt from the provisions of this section;
- g. City of Kingman ornamental lighting is exempt from the provisions of this section and is a permitted lighting installation;
- h. Glass tubes filled with neon, argon or krypton do not require shielding or filtering;
- i. Lighting necessary for construction or emergencies is exempt from the provisions of this subsection, provided said lighting is temporary and is discontinued immediately upon completion of the construction work or abatement of the emergency necessitating said lighting;
- j. Searchlights require a temporary exemption approval, as provided in k below;
- k. Temporary exemptions to the requirements of this subsection may be granted by the Development Services Director or designated representative upon finding that the exemption does not violate any provision of this zoning district and it would not pose a hardship on any adjacent property or use. Such requests shall be submitted in writing to the Development Services Department and include the following information:
  - (1) Specific exemption(s) requested;
  - (2) Type and use of exterior light involved;
  - (3) Duration of time for requested exemption;
  - (4) Type of lamp and foot-candles;
  - (5) Total wattage of lamp(s);
  - (6) Proposed location of exterior light; and
- l. For street lighting within the public right-of-way, the Development Services Director or Public Works Director, or designee, may approve an alternate type of lighting not otherwise provided in this chapter if he or she finds that the proposed design, material or method:
  - (1) Provides approximate equivalence to the specific requirements of this article; or,
  - (2) Is otherwise satisfactory and complies with the intent of this article.

## **18.600 BUILDINGS**

- 1. The maximum height for all buildings shall be fifty (50) feet.
- 2. The intent of the design review is to create architectural design quality, based on a common set of principles which include consideration of the unique environment, climate, and context of the Kingman Crossing area and its natural setting in the City of Kingman. A broad Southwestern theme, however this theme is not intended to limit architectural innovation within the general styles below. These styles include: Southwestern Traditional, Arizona Territorial, Pueblo, and Spanish Colonial.
- 3. Buildings shall be compatible with the neighborhood character.

4. Buildings shall be compatible with the colors and textures of the surrounding environment. Warm earth tone colors shall be used. This would not exclude the ability of a user to express a corporate logo or color as a minor element in the overall design.
5. Highly reflective materials that create glare shall not be used. Preferred exterior materials shall be stucco, brick, adobe, natural stone, textured concrete, or textured and split face concrete masonry units. Materials such as pre-fabricated metal wall panels and smooth faced concrete shall not be used.
6. All glass or all metal buildings, including accessory buildings and structures visible from any street shall be avoided.
7. Reduce the apparent size and mass of buildings. Break up the mass of large buildings by dividing into basic geometric components with intersecting wall planes. Long blank walls, even with appropriate colors, are not permitted. Walls shall not have runs of greater than twenty-five (25) linear feet without an architectural feature breaking up the expanse. These features could be columns with contrasting but complimentary colors, pilasters, tile contrasts, varied facades or parapets.
8. Any exposed roof to street view shall use complimentary colored concrete tile, or a method compatible with the themes and intents above.
9. Mechanical equipment, to the extent possible, should be located on the ground, with screening.
10. Any mechanical equipment, that has to be on the roof, shall be screened, with architecturally compatible features.
11. Parapets shall not be one (1) continuous height, but should be varied in height. Parapet caps shall contrast with the prime color of the building with contrasting but complimentary colors. Exposed metal strips should not be used.
12. Varied window and door openings shall be required.
13. Entryways shall not be flush with the building wall, but should be recessed at least one (1) foot, or shall be covered, with human scale overhangs, or trellis.
14. Service features, such as electric or telephone boxes, irrigation boxes, any exposed communication equipment etc., shall be shown on the site plan and shall be screened, or designed with compatible colors and materials.
15. All building elevation (sides) shall be shown in submitted plans and design elements required shall be expressed on all sides of the building.
16. Storage or shipping containers, as accessory uses, are prohibited.

## **18.700 SIGNS**

### **A. INTENT AND PURPOSE**

It is the purpose of this subsection to provide regulations governing the location, design and illumination of signs and advertising structures for the preservation of the amenities, aesthetics, efficient and safe automobile and pedestrian traffic movements, property values of the surrounding area, the continued well-being of the City's economy and the prevention of undue visual competition.

## **B. EXCEPTIONS**

The provisions of this subsection shall not apply to:

1. Flags of any Nation, State, County, City or other political unit that meets the size standards of Executive Order 10834.
2. Temporary decorations or displays celebrating the occasion of traditionally accepted patriotic, religious or local holidays or events.
3. Signs not visible or intended to be viewed from beyond the boundaries of the lot or parcel upon which they are located, including but not limited to menu boards, operating instructions for gasoline pumps or car washes, etc.
4. Official traffic, fire or police signs, signals, devices and markings used by any authorized public agency or the posting of notices as required by law.
5. Address and mail boxes.
6. Barber poles or similar symbols or devices used to identify and displayed in connection with a Barber Shop.

## **C. DEFINITIONS**

For the purpose of this subsection, certain words and terms are defined as follows: Words used in the present tense include the future; words in the singular number include the plural, and vice-versa; the word "shall" is mandatory and not permissive; the word "person" includes individuals, partnerships, corporations, clubs or associations. The term "governing body" shall mean the Mayor and Common Council of the City; the word "City" shall mean the City of Kingman. The word "used" shall include the words "arranged", "designed", or "intended to be used". The word "erect" shall include the words "construct" or "reconstruct".

Abandoned Sign: shall mean a sign, which no longer correctly directs or exhorts any person, advertises a bona fide business, lessor, owner, product or activity conducted or product available on the premises where such sign is displayed. Abandoned sign shall also relate to any sign, which has been left in place after being substantially defaced or ruined by natural causes.

Action Sign: shall mean the movement of the sign body or any segment thereof such as rotating, revolving, moving up and down or any other type or movement involving a change in position of the sign body or segment thereof whether caused by mechanical or any other means.

Advertising: shall mean any writing, printing display, emblem, drawing, sign or other device designed, used or intended for outdoor display or any type of publicity or propaganda for the purpose of making anything known or attracting attention to a place, product, service or an idea.

Alter or Alteration: shall mean changed in structural components or increase in size, height and location or increases in electrical load. It shall also mean any change in advertising content if such change causes the sign to change in classification from an on-premises sign to an off-premise sign or vice-versa.

Animated Sign: shall mean the movement of any light used in connection with any sign such as blinking, traveling, flaring or changing degree of intensity of any light movement other than burning continuously.

Building Sign: shall mean any sign attached to a building.

Construction – Signs identifying the site of a building under construction; the maximum size of the sign shall be thirty-two (32) square feet.

Curb Line: shall be the imaginary line at the back of the curb nearest the street or roadway. In the absence of a curb, the curb line shall be established by the City Engineer or his authorized representative.

Directional Sign: shall be on-premises signs designed to direct safe movement of traffic or pedestrian at corners, entrance and exit driveways or other hazard locations of commercial, industrial and multi-family residential sites.

Directory Sign: shall mean a sign designed to show the logos or symbols of several businesses on one structure; also it may be a sign designed to show the relative locations of the several commercial activities within a shopping center or other multi-tenant development.

Electronic Message Display Sign: A type of animated sign capable of displaying words, symbols, figures or images that can be electronically or mechanically changed by remote or automatic means. Signs which employ light-emitting diode (LED) technology are included as a form of electronic message display sign.

Free-Standing Sign: shall mean any sign not attached to any building and which is supported by one or more uprights set in a fixed position in the ground.

Front Foot: of a building (or parcel of land) shall mean the maximum width measured on a straight line parallel to the street.

Grand Opening Sign: a temporary sign that is utilized to indicate that a new business is now open to the public.

Illegal Sign: shall mean any sign not in accordance with or authorized by this subsection.

Indirect Lighting: shall mean lighting, which is remote from the sign fixture.

Interstate: shall mean Interstate-40 in respect to which the owners of abutting lands have no right or easement of access to or from their abutting land, or in respect to which such owners have only limited or restricted right or easement of access and which is declared to be a portion of the interstate system as defined by the Arizona Department of Transportation.

Interstate Corridor: shall mean that area immediately adjacent to Interstate-40 that is not closer than 1000-linear feet from the Airfield Avenue, Cherokee Street, and Sage Drive road rights-of-way.

Location: shall mean a lot or premises, building, wall or any place whatsoever upon which a sign is erected, constructed or maintained.

Maintenance: shall mean the replacing or repairing of a part or portion of a sign made unusable by ordinary wear, tear or damage beyond the control of the owner. The word maintenance shall not include, however, any act which requires that a permit be obtained.

Mural: shall mean any picture, scene, or diagram, painted on any exterior wall or fence.

Off-Premises Sign (Billboard): shall mean a structure portraying information which directs attention to a business, commodity, service, entertainment or products not necessarily related to the other uses existing on the premise upon which the sign is located.

On-Premise Sign: shall mean a sign directing attention to a business, commodity, service, or offered upon the same premises as those upon which the sign is maintained.



Political and Ideological Signs – shall mean signs on behalf of candidates for public office or measures on primary, general or special election ballots, or ideological issues.

Price Signs – Price signs shall be allowed in commercial and industrial zones for a permitted use. The area required for a price sign shall be included as a part of the total signage allowed by this Code for the business use. Price signs shall be on-premises signs only.

Projecting Sign: shall mean any sign attached to a building or other structure and extending in whole, or in part more than twelve (12) inches beyond the wall or building line.

Price Sign: shall mean any signs, which designate a unit price for any commodity for sale on the lot or parcel of land, such as gasoline costs per gallon.

Real Estate Signs – Non-illuminated real estate signs not exceeding eight (8) square feet in single-family residential zones; sixteen (16) square feet in area in multiple-family residential zones; and, thirty-two (32) square feet in area in commercial and industrial zones, pertaining only to the lease, sale or rental of the property shall be allowed.

Repair: shall mean the re-erecting or reconstruction of signs damaged or knocked down by wind or any other force or condition. Repair shall not include minor damage that does not affect the structural stability or parts of a sign.

Roof Sign: shall mean any sign erected or constructed upon the roof of any building. All support members shall be free of any external bracing, guy wires, cables, etc. Roof signs shall not include signs defined as wall signs.

Shopping Center: shall mean a group of commercial establishments organized in balanced arrangement for retail trade with provisions for combined off-street parking.

Sign: shall mean any device for visual communication that is used for the purpose of bringing the subject thereof to the attention of the public and not including decorative or protective coating on a building or structure.

Sign Area: shall mean the entire area within a continuous perimeter composed of parallelograms, circles, ellipses, trapezoids and triangles, or any combinations of these, computed to the nearest square foot.

Sign Walker: A person who wears, holds, or balances a sign for commercial purposes. A person who wears a costume intended for commercial advertising purposes is also included in this definition.

Special Event: shall mean any single event or series of events that occur on an infrequent basis and take place at a specific location in which the public is encouraged or invited to watch, listen, participate or purchase goods and/or services, including, but not limited to, the following:

- A. Commercial sales, including pre and post-holiday sales
- B. Political picnics or gatherings
- C. Arts and crafts shows, gun shows, knife shows, trade shows, antique shows and other similar events
- D. Motorized or non-motorized vehicle races
- E. Carnivals, fairs, circuses, mechanical amusement rides, non-domesticated animal acts or exhibitions, and similar activities
- F. Outdoor shows, concerts and exhibitions
- G. Annual events

Static Display: shall mean a sign face that does not change within a twenty-four (24) hour period.

Temporary Sign: shall mean any non-permanent sign consisting of banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.

Tract Sales – Tract signs concerning the original public sale of property on a subdivision tract are allowed only on the subdivided land being sold. Signs shall be a maximum of ninety-six (96) square feet; spaced a minimum of four-hundred (400) feet apart and are to be unlighted. Where construction or tract sales exceed one (1) year, the permit may be renewed annually until construction or sales are completed. There shall be allowed no more than two (2) signs for each subdivision tract except that if a subdivision tract contains one-hundred-sixty (160) acres or more, then a maximum of four (4) signs will be allowed.

Tri-Vision Sign: shall mean a sign that uses vertical Venetian type triangular panels to display one (1) or more, and not to exceed three (3), messages on an existing or proposed off-premise sign. Said signs shall change at intervals of six (6) seconds or more. This type of technology shall not be permitted on any other type of sign.

Wall Sign: shall mean a sign applied to, or painted or mounted on the wall or surface of a building or a structure, the display surface of which is parallel to the supporting surface, not more than twelve (12) inches from the wall. Marquees, facades, false fronts, etc., shall be considered to be a wall surface.

Zone: shall mean and refer to the Zoning Districts as defined by the zoning provisions of this Ordinance.

Zoning Administrator: shall mean the Development Services Director of the City of Kingman or his authorized representative.

## **C. GENERAL PROVISIONS**

Compliance: It is unlawful for any person to erect, install, repair, alter or relocate any sign or advertising structure without obtaining from the Zoning Administrator a written permit to do so, paying the fees prescribed and conforming to any complying with all of the provisions of this Code.

Measurement of Signs: For the purpose of determining the area of any sign, the following criteria shall be used:

- a. For on-premises signs, the sign area shall be calculated from the measurement of the circumscribed frame area, said area including all wording, symbols and integrated background. Where a sign has two (2) or more faces, the area of all faces shall be included in determining the sign area, except that only one (1) face of a double faced sign shall be considered in determining the sign area, providing both faces are parallel to each other; not more than thirty (30) inches apart, and enclosed.
- b. Where a sign consists only of individual letters, numerals, symbols or other similar components, and is painted on, or attached flat against the wall of a building, and where such individual components are without an integrated background definition, and are not within a circumscribed frame area. The total area of the sign shall be the sum of the areas of squares or rectangles surrounding each individual letter.

Maintenance: Each sign shall be maintained in a safe, presentable and good condition, including the replacement of defective parts, painting, repainting, cleaning and other acts required for the maintenance of said sign. Any sign which is located on property which becomes vacant and unoccupied for a period of three (3) months or more, or any sign which was erected for an

occupant or business unrelated to the present occupant or his business, or a sign which pertains to a time, event or purpose which no longer applies, shall be deemed to have been abandoned. Permanent signs applicable to a business temporarily suspended because of a change of ownership or management of such business shall not be deemed abandoned unless the property remains vacant for a period of six (6) months or more. Off-premises sign structure shall be deemed as abandoned if left vacant and unoccupied for a period of three (3) months or more.

Projection of Signs: Signs may not be permitted to project over the public right-of-way.

Murals: Murals are permitted on exterior building walls.

#### **D. ERECTION OF SIGNS**

1. Signs shall compliment and reflect the architectural theme of the principal buildings.
2. All signs shall be designed and constructed in accordance with the current edition of the adopted Sign Code as adopted by the Common Council.
3. All electric signs shall conform in design and construction to the appropriate sections of Article 600 of the current edition of the National Electrical Code as adopted by the Common Council.
4. The maximum height of any monument sign shall be six (6) feet.
5. Building signs shall not exceed the height of the building wall to which it is attached.
6. In the Interstate Corridor, the height of signs shall not exceed forty (40) feet above the finished grade of the Interstate. The finished grade shall be the highest point of the interchange.
7. No free-standing sign shall be located within twenty-five (25) feet of any other free-standing sign.
8. At locations that abut a residential zone on a common property line, all free-standing signs shall be located at least eighty-five percent (85%) of the distance of the lot depth or width away from common property line with the residential zone. In the event that eighty-five percent (85%) distance is less than fifty (50) feet, the free-standing sign shall be unlighted.
9. All signs shall be erected in conformance with Section 26.000: GENERAL DEVELOPMENT STANDARDS, INTERSECTION VISIBILITY AND CORNER CUTBACK.

#### **E. TEMPORARY SIGNS**

The following temporary signs are permitted:

Construction – Signs identifying the site of a building under construction; the maximum size of the sign shall be thirty-two (32) square feet.

Tract Sales – Tract signs concerning the original public sale of property on a subdivision tract are allowed only on the subdivided land being sold. Signs shall be a maximum of ninety-six (96) square feet; spaced a minimum of four-hundred (400) feet apart and are to be unlighted. Where construction or tract sales exceed one (1) year, the permit may be renewed annually until construction or sales are completed.

Real Estate Signs – Non-illuminated real estate signs not exceeding thirty-two (32) square feet pertaining only to the lease, sale or rental of the property shall be allowed.

Political and Ideological Signs – Political and ideological signs on behalf of candidates for public office or measures on primary, general or special election ballots, or ideological issues are permitted subject to the following regulations:

1. No more than 60-days prior to an election and not more than 15-days following a general election, except that for a sign for a candidate in a primary election who does not advance to the general election, the period ends fifteen days after the primary election. Such signs may be located within City of Kingman public rights-of-way, except in sign-free zones as identified by Council resolution. In all cases such signs cannot be hazardous to public safety, obstruct clear vision in the area or interfere with the requirements of the Americans with Disabilities Act (42 United States Code section 12101 through 47 United States Code section 225 and 611).
2. Political signs placed in the City of Kingman's public rights-of-way cannot exceed an area of sixteen (16) square feet, if the sign is located in an area zoned for residential use, or a maximum area of thirty-two (32) square feet if the sign is located in any other area. Such signs shall not exceed three (3) feet above grade regardless of location.
3. Political signs placed in the City of Kingman public rights-of-way shall contain the name and telephone number of the candidate or campaign committee contact person.
4. If the City of Kingman deems that the placement of a political sign in its public right-of-way constitutes an emergency, the City may immediately relocate the sign. In such case, the City shall notify the candidate or campaign committee that placed the sign within 24-hours after the relocation.
5. If a sign is placed in violation of subsections 1, 2, and/or 3, and the placement is not deemed to constitute an emergency, the City may notify the candidate or campaign committee that placed the sign of the violation. If the sign remains in violation at least 24-hours after the City notified the candidate or campaign committee, the City may remove the sign. The City shall contact the candidate or campaign committee contact and shall retain the sign for at least 10-business days to allow the candidate or campaign committee to retrieve the sign without penalty.
6. No political or ideological sign may be installed on any sign, structure, or land (other than public rights-of-way) owned by the City of Kingman.
7. Subsections 1 through 6 of this section does not apply to state highways or routes, or overpasses over those state highways or routes.
8. Political and ideological signs may be located on private property with the owner's permission. Property owners may remove any political or ideological sign on his or her property at any time.
9. Political and ideological signs shall be removed within fifteen (15) days following the primary or special election, except the successful candidates may leave them in their present location until (15) days after the general election, at which time the signs shall be removed.
10. The person, political party, or parties responsible for the erection or distribution of any such signs shall be jointly and individually liable for their removal.
11. Political and ideological signs on private property shall not exceed six (6) square feet in non-commercial zoning districts; and cannot exceed fifty (50) square feet in all other districts.
12. Such freestanding signs shall not exceed three (3) feet in height.

13. Sign permits are not required, nor do political signs count against a property's otherwise allowable signage area. A person, persons, or organizations planning to erect political or ideological signs greater than six (6) square feet shall place on the sign contact information of the person responsible for the proper erection, maintenance, and removal of the signs.
14. Due to the weathering and degradability of the material of temporary political or ideological signs, no individual sign shall remain in place longer than one hundred and twenty (120) days. This restriction does not apply to political or ideological messages located on permanent sign structures permitted through the non-political and ideological provisions of these sign regulations.
15. Any signs which are deemed to be unsafe, defective or which create an immediate hazard to persons or property or are not in compliance with the provisions of this section shall be declared to be a public nuisance and shall be subject to immediate removal by the city.
16. Any such signs removed by the city shall be held by the city no less than ten (10) days. The city shall make attempt to contact the responsible person for the sign to advise that person of the removal. The responsible person may pick up their signs from the city after ten (10) business days; the city may destroy the signs in their possession.
17. All candidates, groups, or committees must comply with Arizona revised statutes and federal law regarding political or campaign signs and reporting requirements.

Price Signs – Price signs shall be allowed for a permitted use. The area required for a price sign shall be included as a part of the total signage allowed by this Code for the business use. Price signs shall be on-premises signs only.

Special Event Signs – These signs are permitted if a Special Event Permit is obtained from the City Clerk's Office and are subject to the following regulations:

1. A Sign Permit at no fee must be obtained from the Development Services Department.
2. Limited to six (6) special events per year.
3. The signs are limited to banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.
4. The signs can be displayed for fourteen (14) days per event.
5. The on-premises signs shall not exceed sixty (60) square feet per sign and there is no limit on the number of signs.
6. These signs shall be no taller than six (6) feet from the average finished grade of the property.
7. The applicant may display off-premise signs with the property owner's written permission. The signs are limited to sixty (60) square feet per parcel. The written permission for each property shall be attached to the sign permit application.
8. The signs shall not be illuminated.
9. These signs shall be contained on private property and shall not be placed in the public right-of-way or be attached to any landscape hedge or bush, streetlight and signal poles, street or regulatory signs, or utility poles.
10. These signs shall be removed by no later than the day following the conclusion of the event.

11. The signs shall be maintained in safe, presentable and good condition.
12. The applicant is responsible for maintaining, repairing and removing the temporary signs.

Grand Opening Signs:

1. A Sign Permit at no fee must be obtained from the Development Services Department.
2. All businesses shall be permitted to display grand opening signs, on a one-time basis, for a maximum of thirty (30) consecutive days.
3. Grand opening signs are limited to on-premises signs consisting of banners, pennants, wind-driven spinners, streamers, balloons, flags, inflatable structures/signs and signs made of paper or plastic.
4. These signs shall be contained on private property and shall not be placed in the public right-of-way, or be attached to any landscape hedge or bush, street light and signal poles, street or regulatory signs, or utility poles.
5. These signs shall be no taller than six (6) feet from the average finished grade of the property.
6. The signs shall not exceed sixty (60) square feet per sign and there is no limit on the number of signs.

Sign Walker Signs – Temporary off-premise signs worn, held or balanced by an individual for commercial purpose are permitted subject to the following criteria:

1. A sign permit at no fee must be obtained from the Development Services Department. Non-profit organizations holding funding events are exempt from this requirement.
2. The sign can be no larger than ten (10) square feet.
3. A sign walker may only locate on a sidewalk but must keep at least four (4) feet in width of the sidewalk unimpeded.
4. The sign must be worn, held or balanced while standing.
5. No shade structure, chair or sitting device may be setup in the City of Kingman right-of-way or in the landscaping and/or required parking of any business.
6. The spinning, waving, bouncing, tossing, throwing, juggling of signs is prohibited.
7. A business shall only be allowed to use sign walkers for up to ten (10) consecutive days in any thirty (30) day period and there shall be at least a 20-day period before the commencing of another 10-day period.
8. Sign walkers are prohibited from standing in the median of streets, in travel lanes, and landscaping and unimproved rights-of-way areas.
9. Sign walkers may not be located within the twenty-five (25) foot site triangle as defined by Section 26.000 of the Zoning Ordinance.
10. Sign walkers are permitted only from 8:00 a.m. to 8:00 p.m.
11. Sign walkers shall not use audio devices to attract attention to their sign or business.

12. Illumination of signs or costumes is prohibited.

Weekend Signs – These signs are temporary weekend off-premise signs. This may be permitted, subject to the following criteria applying to these signs only.

1. Signs may be two (2) sided but may not be illuminated.
2. Signs may be placed on weekends only. (Friday, after 5:00 P.M., and Saturday and Sunday). These signs must be removed before 8:00 A.M., Monday morning or will be subject to confiscation at owner's expense.
3. No sign of this nature may be placed in a public right-of-way.
4. Signs of this nature may be placed on private property only with permission of the owner.
5. Signs may not exceed three (3) square feet in area, or thirty (30) inches in height and must be professional in appearance.
6. Signs may not obstruct the safe movement of traffic at corners, driveways or other locations.

**F. PROHIBITED SIGNS**

Notwithstanding any other provisions of this Code, the following types of signs are prohibited in the City of Kingman:

1. Vehicles Signs – Vehicle signs are prohibited unless all of the following conditions are met:
  - a. The primary purpose of such vehicles or equipment is not the display of signs;
  - b. Signs are painted upon or applied directly to an integral part of the vehicle or equipment, do not extend beyond the horizontal or vertical profile of the vehicle, and are not mounted to the truck bed;
  - c. Such vehicles or equipment are in operating condition, currently registered and licensed to operate on public streets when applicable; and actively used in the daily function of the business to which the signs relate;
  - d. Such vehicles or equipment are not used primarily as static displays advertising products or services, nor utilized as storage, shelter or distribution points for products or services, and;
  - e. During periods of inactivity exceeding 72 hours such vehicles or equipment are not parked or placed in such a manner that the signs thereon are displayed to the public. Vehicles or equipment engaged in active construction projects and the on-premises storage of equipment and vehicles offered to the general public for rent or lease shall not be subjected to this condition.
2. Signs painted on the exterior of fences and roofs.
3. Signs resembling official traffic control devices of any nature.
4. Signs which display a continuous or sequential operation in which any exposed or shielded incandescent lamp exceed twenty-five (25) watts.
5. Any exposed incandescent lamp with a red wattage in excess of forty (40) watts.
6. Any exposed incandescent lamp with an internal metallic reflector.
7. Any exposed incandescent lamp with an external reflector.
8. Any revolving beacon light.

9. Abandoned signs.
10. Action Signs.
11. Off-premises signs

#### **G. PERMITTED ON-PREMISES SIGNS**

1. **Area:** One (1) square foot of sign area will be permitted for each foot of property frontage adjacent to the street, up to a maximum of thirty-five (35) square feet per sign.
2. **Distribution of Signs:** For each building there shall be no more than one (1) free-standing sign for each street the building or property abuts. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign will be permitted on that frontage, provided the property frontage does not intersect with another right-of-way (corner lot). These signs shall not be placed closer together than two-hundred (200) feet. There may be more than one (1) building sign provided the total size of combined signs does not exceed two (2) square feet for each front foot of the building frontage.

If there is more than one (1) business in a building, each business establishment will be allowed building signs computed as follows: Two (2) square feet of sign area for each one (1) foot of business frontage along the street.

3. **Roof Signs:** Roof signs are not permitted.
4. **Signs in Shopping Centers Outside of the Interstate Corridor:** One (1) free-standing signs shall be allowed per street frontage. Two (2) square feet of sign area shall be permitted for each foot of property frontage adjacent to the street, up to a maximum of one-hundred (150) square feet per sign. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign of one-hundred (150) square feet will be permitted on the frontage. The free-standing signs shall not be placed closer together than two-hundred (200) feet. In the case where there are individual building pads set aside, along the street frontage, which are separated from the remaining portion of the shopping center by curbing, landscaping or other barrier, each building pad may have a monument sign limited to fifty (50) square feet and six (6) feet in height. Individual businesses will not be allowed free-standing signs. Where canopies are used for outside pedestrian walkways, each business will be permitted to erect a sign under the canopies to identify their businesses. The signs shall be counted as a building sign and shall be no larger than three (3) square feet.
5. **Signs in Interstate Corridor:** On-premise signs within the Interstate Corridor are allowed to be up to three-hundred (300) square feet and be forty (40) feet above the immediate freeway grade. One (1) free-standing signs shall be allowed per street frontage. Two (2) square feet of sign area shall be permitted for each foot of property frontage adjacent to the street. In the event that the property abutting the street is greater than six-hundred (600) linear feet, a second free-standing sign of three-hundred (300) square feet will be permitted on the frontage. The free-standing signs shall not be placed closer together than two-hundred (200) feet. In the case where there are individual building pads set aside, along the street frontage, which are separated from the remaining portion of the shopping center by curbing, landscaping or other barrier, each building pad may have a monument sign limited to fifty (50) square feet and six (6) feet in height. Individual businesses will not be allowed free-standing signs. Where canopies are used for outside pedestrian walkways, each business will be permitted to erect a sign under the canopies to identify their businesses. The signs shall be counted as a building sign and shall be no larger than three (3) square feet.



## **H. DIRECTIONAL SIGNS**

Directional signs (as defined) may be permitted subject to the following criteria:

1. The signs may not be located in a public right-of-way.
2. The signs may not obstruct the safe movement of traffic or pedestrian at corners, driveways or other hazard locations.
3. The signs may be two (2) sided and may be illuminated.
4. The signs may not exceed three (3) square feet in area per side.
5. The signs may not be more than three (3) feet in height for a free-standing sign and no higher than eight (8) feet for a building (wall) sign.
6. There shall not be more than one (1) directional sign per driveway entering or existing onto a street and no more than six (6) signs per site or development.
7. The signs must be professional in appearance and may not display any commercial messages other than corporate colors or logos and an arrow or the words "entrance or exit".
8. The signs shall be designed and constructed in conformity with the Building Codes of the City of Kingman and with the latest adopted edition of the Sign Code published by the International Conference of Building Officials (ICBO).

## **I. ELECTRONIC MESSAGE DISPLAY SIGNS**

An Electronic Message Display Sign as defined may be permitted as, but not in place of, an on-premises free-standing sign or a building sign subject to the following criteria:

1. Intensity of Lighting. Between sunset and sunrise electronic message display signs shall be limited in brightness to a maximum lighting intensity of 0.6 candela (foot-candles) over ambient light levels as measured using a foot-candle meter at a one hundred foot (100') distance from the sign.
2. Control of Brightness. Each sign shall have a redundant system for controlling sign brightness, including an automatic light sensing device or photocell that will adjust the brightness as ambient light conditions change, and a backup system based on local sunrise and sunset times.

## **J. PERMITS**

1. A sign shall not hereafter be erected, re-erected, constructed, altered or maintained, except as provided by these regulations and the adopted Sign Code and after a permit for the same has been issued by the Building Official. A separate permit shall be required for a sign or signs for each business entity, and a separate permit shall be required for each group of signs on a single supporting structure. In addition, electrical permits shall be obtained for electrical signs.
2. Application for a permit shall be made to the Building Official upon a form provided by the City and shall be accompanied by such information as may be required to assure compliance with all appropriate laws and regulations of the City, including drawings to scale indicating the sign legend or advertising message, sign location, dimensions, construction specifications, electrical components and wiring, method of attachment and character of structural members to which attachment is to be made, and the location of the sign hole and finished sign in relation to the property line and public right-of-way.

3. The Building Official shall issue a permit for the erection, alteration or relocation of a sign within the City when the application, therefore, has been properly made and the sign complies with all appropriate laws and regulations of the City, as verified and approved.
4. Before issuing any sign permit required by this Code, the Building Official shall collect a fee in accordance with adopted Building Code as adopted by the Common Council. Temporary real estate signs in excess of eight (8) square feet in area are required to purchase an annual permit at a fee of five (5) dollars yearly from date of purchase for each sign. Each temporary real estate sign must clearly display the issued permit number in the front lower right hand corner of the sign.
5. Once a building permit has been issued, the permit will be governed in accordance with the appropriate provisions of latest adopted edition of the Building Code.
6. The following signs shall not require a sign permit. These exemptions shall not be construed as relieving the owner of the sign from the responsibility of its erection and maintenance, and its compliance with the provisions of this Code or any other law or ordinance regulating the same.
  - a. The changing of the advertising copy or message on a painted or printed sign only. Except for theater marquees and similar signs specifically designed for the use or replaceable copy, electric signs shall not be included in this exception.
  - b. Painting, repainting or cleaning of an advertising structure or the changing of the advertising copy or message thereon shall not be considered an erection or alteration which requires a sign permit unless a structural change is made.

### **18.800 LANDSCAPING**

1. Natural features, such as rock out-cropping and water courses, should be incorporated into the project's design whenever possible.
2. Landscaped areas shall be protected from damage from automobiles by the use of bumper guards, etc.
3. Pedestrian areas should be shaded with landscaping whenever possible.
4. A coherent, logical landscaping design should be utilized and in accordance with Section 10.000 LANDSCAPING. Landscaping plans shall exhibit an organized concept, not just an arrangement of plants with appropriate irrigation.
5. On site plans, the type, size and number of plants, and the location and design of landscaped areas should be shown, along with the irrigation systems. The Kingman Landscape Ordinance standards are the minimum required in the corridor.

### **18.900 SCREENING**

1. Trash receptacles shall be screened. The screening shall be designed so that garbage collection vehicles can easily service these areas.
2. Exterior mechanical and electrical equipment, such as meter boxes, electrical and gas connections, solar devices, etc., shall be screened.

3. Screening can be accomplished by using site obstructing vegetation or site obstructing fences which are made of materials that are architecturally compatible with the principal buildings.
4. Screening for trash receptacles should be a minimum of six (6) feet in height.
5. If roof-mounted mechanical equipment is used it shall be screened in a manner architecturally compatible with the building whenever possible.
6. All utility stations and substations shall be screened with landscaping or a site obstructing fence.
7. All utilities should be placed underground whenever feasible.
8. All commercial and multiple family areas shall be screened from adjoining residential areas, even if a street or alley intervenes. Split face block, stucco, or compatible wrought iron, fences, of architecturally compatible wood or mimic material shall be used, in conjunction with landscaping. Chain link, barbed wire, razor wired, etc., are prohibited.

PROJECTS SHOULD BE DESIGNED TO MINIMIZE INTERFERENCE WITH THE PRIVACY, QUIET AND VIEWS OF NEIGHBORS

ROOF-MOUNTED MECHANICAL EQUIPMENT SCREENED  
IN A MANNER ARCHITECTURALLY COMPATIBLE WITH THE BUILDING

THERE SHOULD BE A PLEASANT  
TRANSITION FROM THE STREET TO  
THE BUILDINGS. THIS CAN BE  
ACCOMPLISHED BY THE USE OF  
SIDEWALKS AND LANDSCAPING

FENCE SCREENS PARKING AND LOADING AREAS FROM RESIDENTIAL NEIGHBORS

DECORATIVE FENCE AND LANDSCAPING  
PROVIDES SCREENING OF DUMPSTER AREA

PARKING LOTS SHOULD BE LANDSCAPED TO VISUALLY  
REDUCE THE EXPANSE OF PAVED AREAS

ALL APPROPRIATE STREET PROPERTY FRONTAGES SHALL BE  
LANDSCAPED WITH TREES AS THE MAIN LANDSCAPING ELEMENT

**FIGURE 1: SITE DEVELOPMENT**

**FIGURE 2: DRIVEWAY GUIDELINES**

**Collector - Arterial Street**

**Development**

driveway

driveway

parking aisle

100'  
minimum

60'  
minimum

minimum

150'  
minimum

**Collector - Arterial Street**

driveway

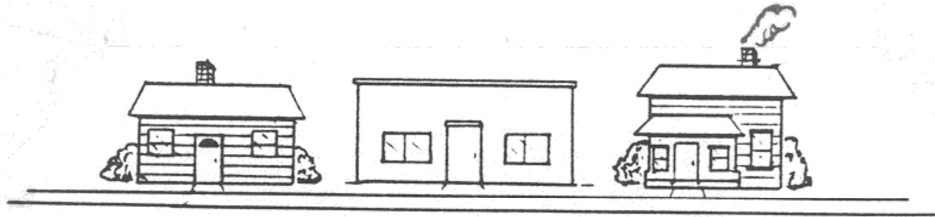
**FIGURE 3: BUILDING COMPATIBILITY**



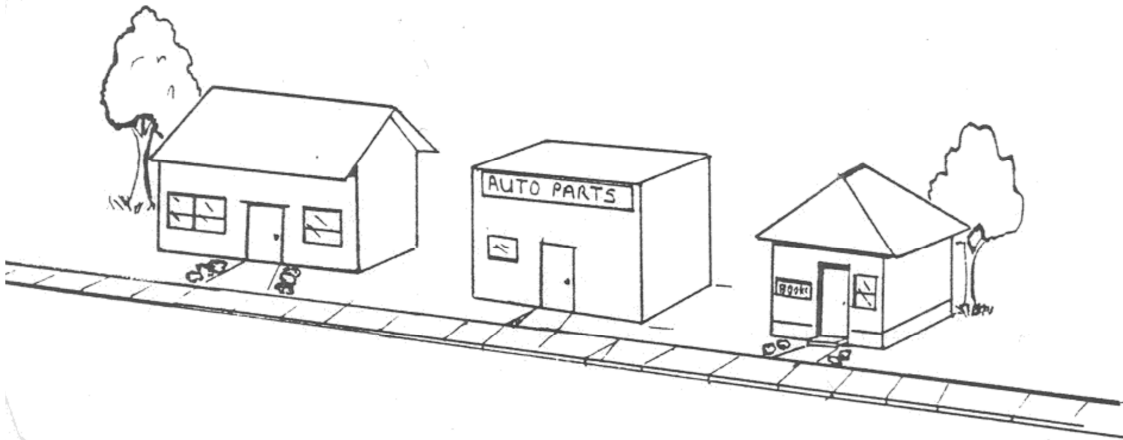
BUILDINGS SHOULD BE COMPATIBLE WITH THE NEIGHBORHOOD CHARACTER



**FIGURE 4: BUILDING INCOMPATIBILITY**

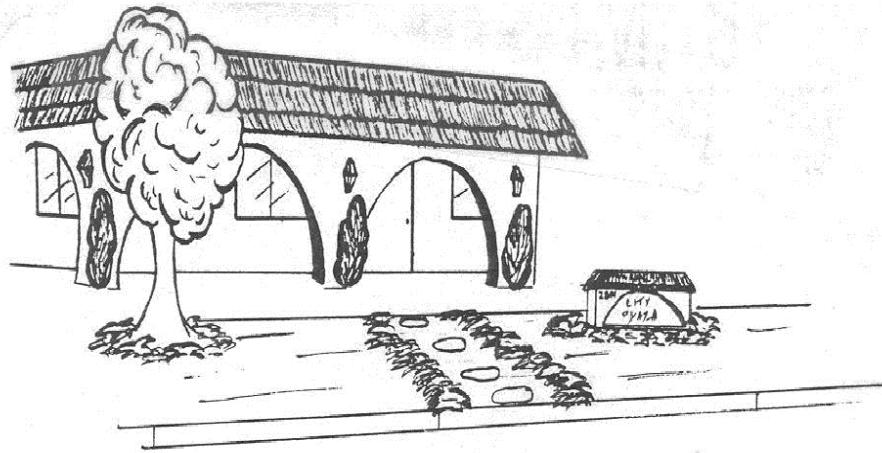


AVOID BUILDINGS THAT VIOLATE THE EXISTING SCALE, SIZE  
AND PROPORTION OF THE AREA AND ADJACENT BUILDINGS

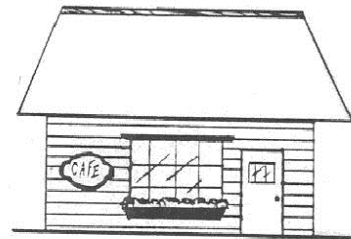
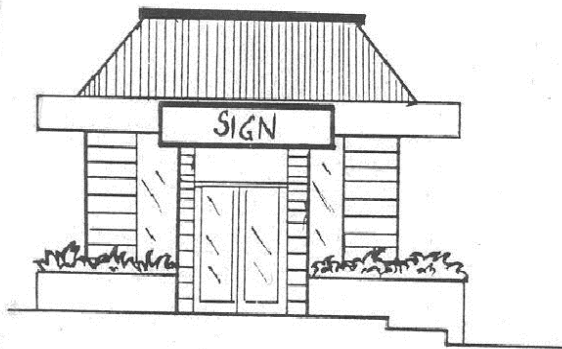


BREAK UP UNINTERESTING BOXLIKE FORMS

**FIGURE 5: SIGN EXAMPLES**



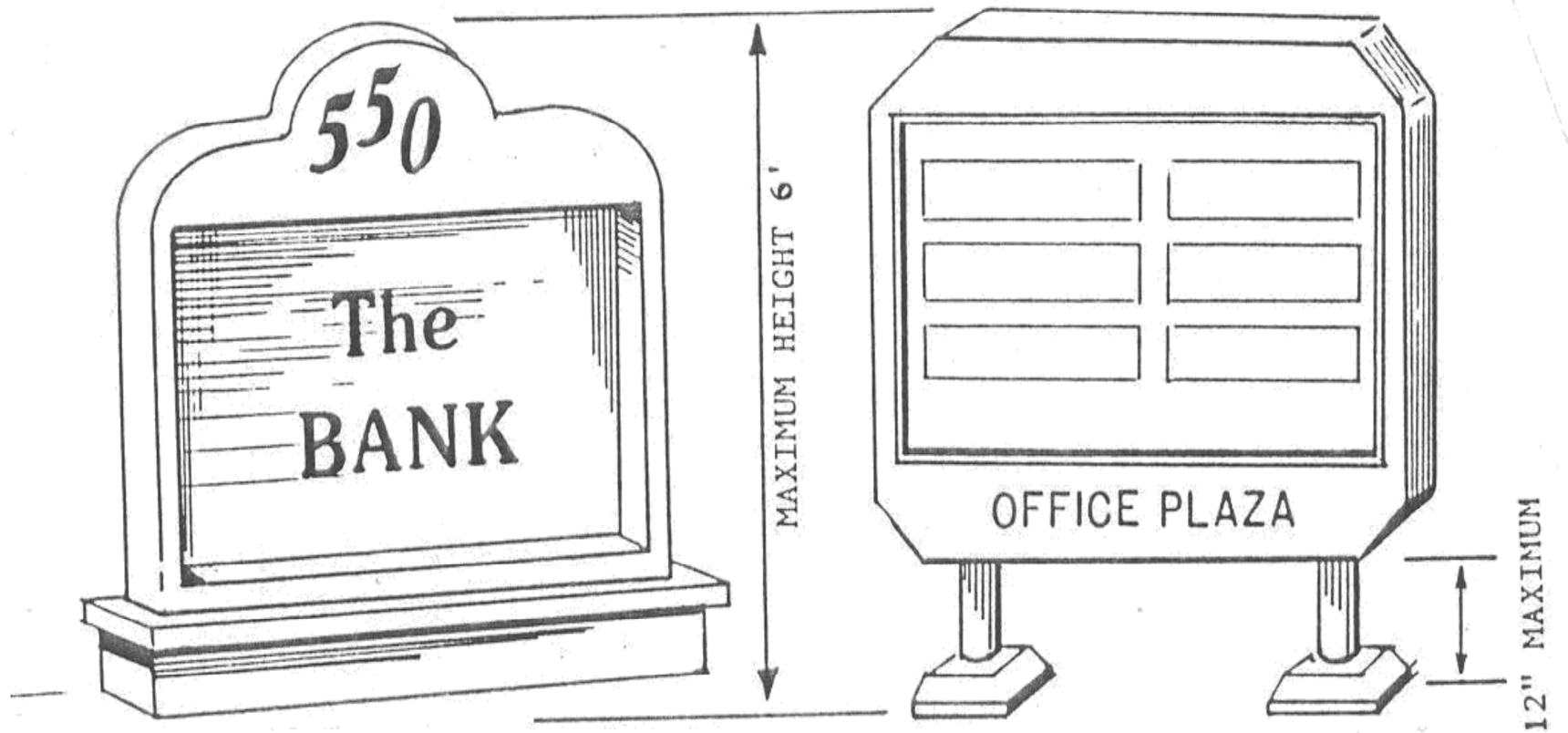
ONLY BUILDING SIGNS AND MONUMENT STYLE SIGNS ARE PERMITTED



SIGNS SHOULD REFLECT THE ARCHITECTURAL THEME OF THE PRINCIPAL BUILDINGS

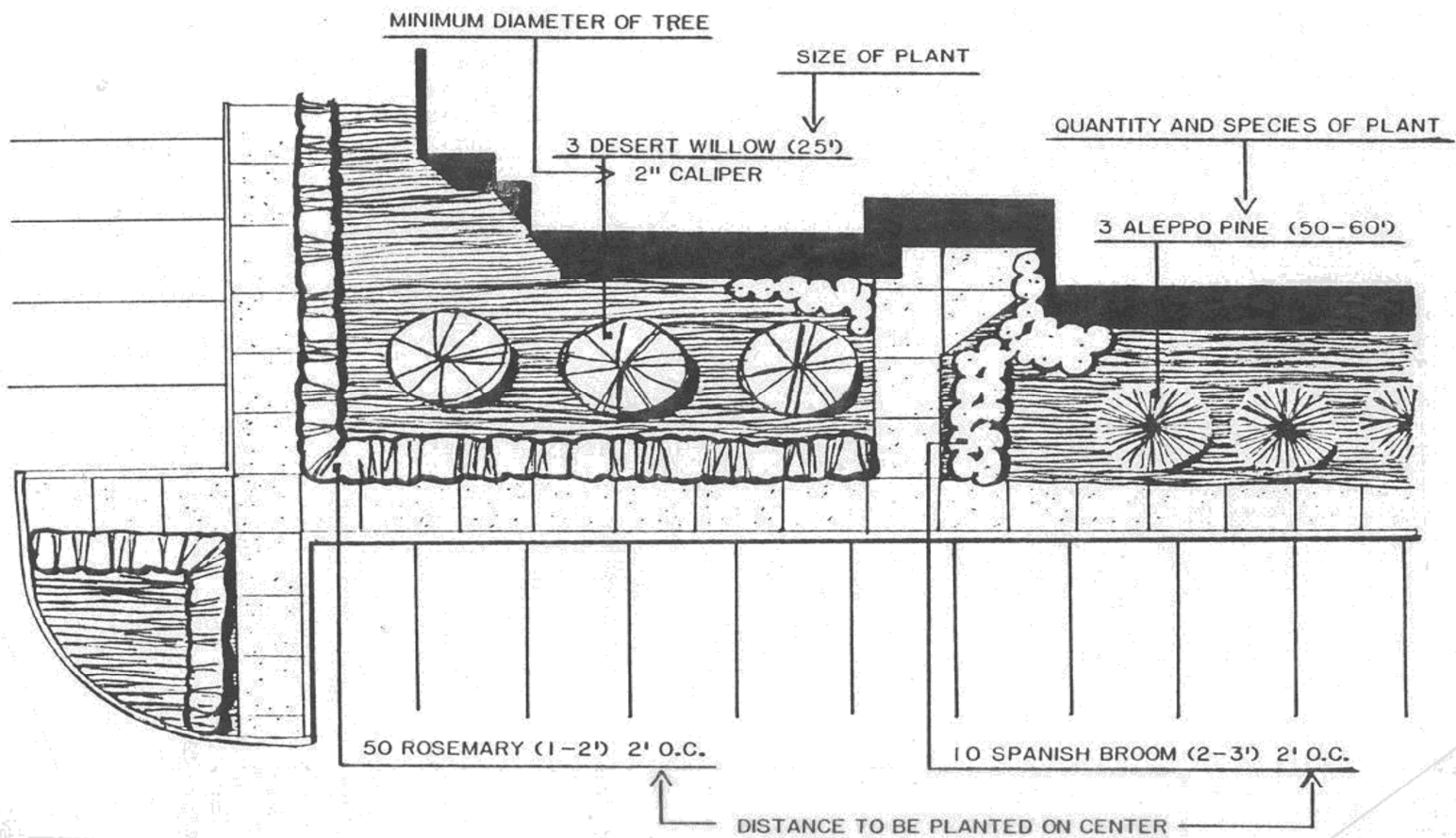


**FIGURE 6: MONUMENT STYLE FREESTANDING SIGNS**



**FIGURE 7: TYPICAL LANDSCAPE PLAN**

ON SITE PLANS, THE TYPE, SIZE AND NUMBER OF PLANTS AND THE LOCATION AND DESIGN OF LANDSCAPED AREAS SHOULD BE SHOWN



**EXHIBIT 1**  
**CITY OF KINGMAN**  
**DESIGN REVIEW CHECKLIST**  
**For the Kingman Crossing PDD**

**DATE:** \_\_\_\_\_ **APPLICANT:** \_\_\_\_\_

**PROJECT:** \_\_\_\_\_

**LEGAL DESCRIPTION:** \_\_\_\_\_

**REVIEWED BY:** \_\_\_\_\_

**APPROVED:** \_\_\_\_\_ **DISAPPROVED:** \_\_\_\_\_

**REQUIRES REVISIONS FOR APPROVAL:** \_\_\_\_\_

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SITE DEVELOPMENT</u>
			Minimum street setback twenty (20) feet or minimum of zoning district whichever is greater.
			Limited curb cuts on to street.
			Access to street is at street intersection.
			Project is designed to minimize traffic problems.
			Street grid responds to topography.
			Sidewalks with tree landscaping.
			Exterior lighting in accordance with subsection 18.500 LIGHTING.
			Site organization takes into account relation of buildings to street, landscaping, open spaces and adjacent sites.
			Proportion, scale, continuity and balance prevails.
			Project retains natural topography and is compatible with immediate environment. Damage to natural environment is minimized.
			Project designed to minimize interference with privacy, quiet and views of neighbors.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>BUILDINGS</u>
			Buildings are compatible with neighborhood character and with colors and textures of surrounding environment.
			Avoid all glass or all metal buildings. Highly reflective materials avoided.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SIGNS</u>
			Signs fall within the allowable type, number, size, height and square footage.
			Signs are building signs and/or monument style freestanding sign.
			Signs reflect the architectural theme of the principal buildings.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>LANDSCAPING</u>
			Site plans include landscaping plan that shows type, size, number and location of plants, and irrigation systems.
			Recommended plants are used.
			Street property frontages landscaped with trees as the main landscaping element.
			Parking lot landscaped.
			Natural features incorporated into project's design.
			Pedestrian areas landscaped.
			Landscaped areas protected from automobile damage.
			Other:
			Comments:

<u>APPROVED</u>	<u>REVISIONS NEEDED</u>	<u>NOT APPLICABLE</u>	<u>SCREENING</u>
			Trash receptacles screened by a minimum six (6) foot screen.
			Trash areas easily accessible by garbage collection vehicles.
			Exterior mechanical and electrical equipment screened.
			Roof-mounted mechanical equipment screened in a manner architecturally compatible with building
			Utilities placed underground.
			Utility stations/substations screened.
			Other:
			Comments:

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**CITY OF KINGMAN  
ORDINANCE NO. 1600**

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: AMENDING THE ZONING ORDINANCE MAP ON 31.33 ACRES IN A PORTION OF SECTION 9, T21N, R16W BY REZONING SAID PROPERTY FROM R-R, RURAL RESIDENTIAL TO C-3, COMMERCIAL: SERVICE BUSINESS AND PRESCRIBING CONDITIONS.**

**WHEREAS**, the Planning Commission reviewed a request from, MedCath Corporation, the owners of 33.3 acres located in Section 9, T21N, R17W, to rezone from from "R-R", Rural Residential to C-3, Commercial: Service Business to allow a hospital and medical office buildings was found to be reasonable and appropriate and in accord with the City of Kingman General Plan 2020, and

**WHEREAS**, such an amendment will further the objectives of the 2020 Kingman General Plan and assist property owners, citizens and residents of the area to achieve positive growth and visual improvements to the area, and

**WHEREAS**, the Planning and Zoning Commission held a public hearing on options and had a final review of this request at their regular meeting in November, 2007, after receiving input from property owners and residents of the area, and public at large,

**WHEREAS**, the proposed rezoning is for 31.33 acres in the area proposed for Kingman Crossing, and a proposed interchange with Interstate 40,

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the City of Kingman, Arizona:

**Section 1:** That they amend the City of Kingman Zoning Ordinance Map by rezoning the parcel described in the attached Exhibits A and B located in Section 9, T21N, R16W GSRBM, totaling 31.33 acres, from "R-R", Rural Residential to C-3, Commercial: Service Business to allow a hospital and medical office buildings. Such rezoning subject to the following conditions, which are proportionate to the impact of the facilities on the community at large and to the proposal's unique location:

- A. Water service to this parcel/subdivision will need to be reviewed & approved by the Municipal Utilities Commission and City Council for water service to a new subdivision. Utility extensions will be required to the serve this parcel in accord with MUC regulations, and the Conceptual Water system analysis prepared by Mohave Engineering on behalf of MedCath, of October 15, 2007.
- B. File a new subdivision plat, as the creation of the three new lots meets the ARS definition of a subdivision, with a new street involved.
- C. Full street improvements are required across the property frontages at the time of development on both Santa Rosa Drive & Kingman Crossing. Paved full width connecting roadways and right of way dedications would be required on Santa Rosa Drive at the time of the final plat tying into the end of the existing Santa Rosa Drive and onto Airway Avenue. A site specific access analysis will be required to ascertain actual street configurations which could include medians and right and left turn lanes. This access analysis will coordinate with the large scale commercial areas to the south.
- D. All roadway and drainage improvements to coordinate with the Draft Initial Design Concept Report (Sept. 2007 DCR) prepared by URS Corporation and dated August 2007, as may necessarily be amended after review and approval by the Council. Drainage will be approved by the City Engineer as modified, and must coordinate with the proposed Kingman Crossing interchange.

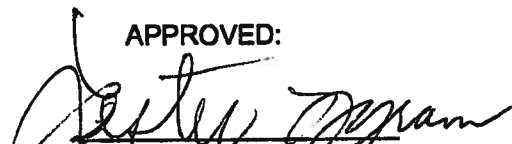
- E. The improvements at the Kingman Crossing/ Santa Rosa Drive intersection should be shown as called out in the August 2007 DCR, or the final agency approved DCR.
- F. All conditions of Major Plan resolution 4046R shall be adhered to.
- G. Any possible uses defined in the Zoning Ordinance as "truck stops" will require a conditional use permit review.
- H. The plan of development presented by HKS on behalf of MedCath, which includes a total of 237,400 square foot medical campus on 22.7 acres for proposed Parcel 1A, shall be substantially followed. The architectural style of the building will include earth tone colors shown appropriate to the local desert and mountain terrain surrounding Kingman.
- I. The owners of the property under this rezoning will participate, in the appropriate nexus and rough proportionality with the financial implementation of the Kingman Crossing Interchange as approved by the City Council.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona this 3rd day of December, 2007.

ATTEST:

  
Deborah Francis, City Clerk

APPROVED:

  
Lester Byram, Mayor

APPROVED AS TO FORM:

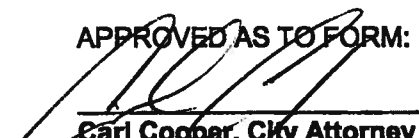
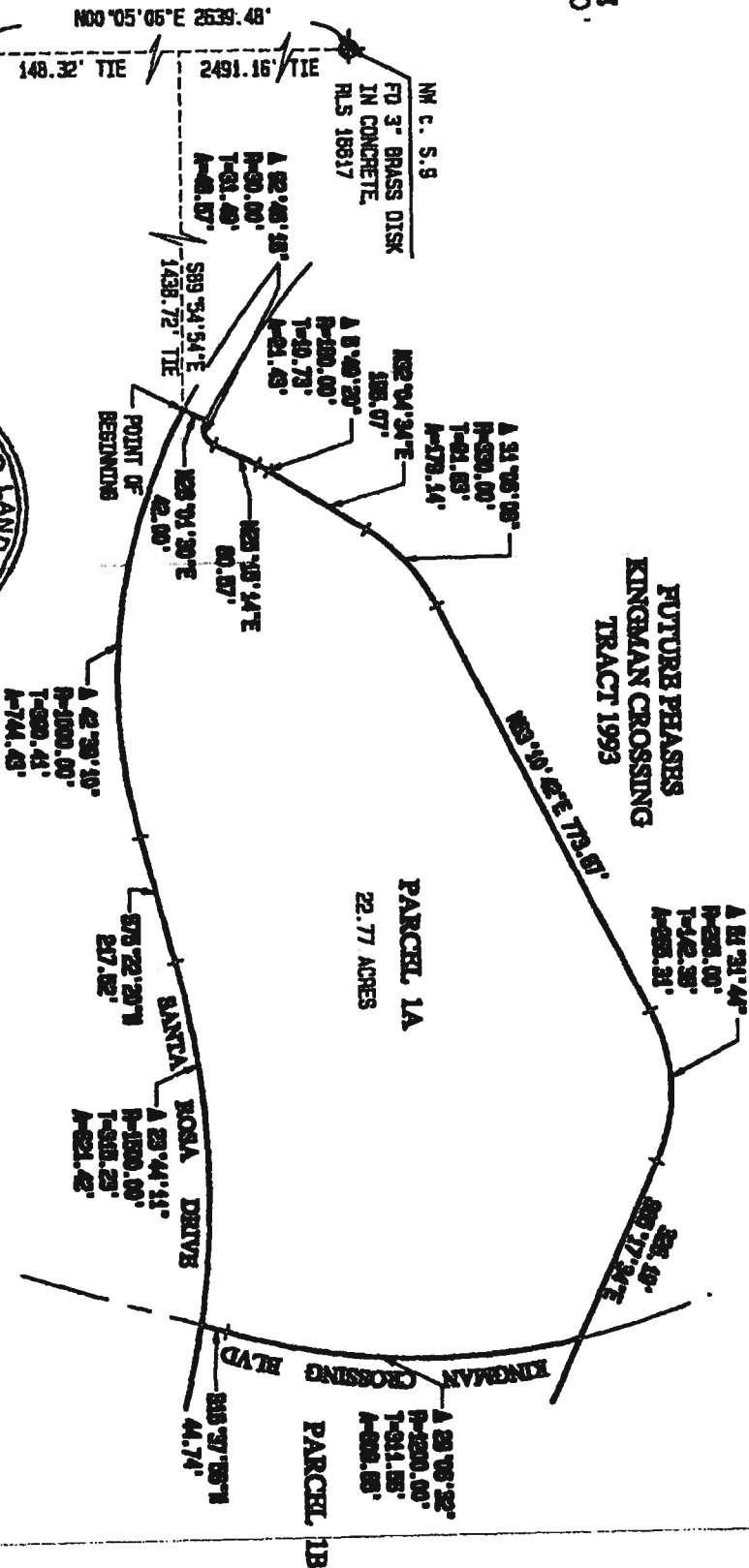
  
Carl Cooper, City Attorney



EXHIBIT "A"

MAP TO ACCOMPANY DESCRIPTION OF PARCEL 1A WITHIN A PORTION OF  
S. 9, T 21 N, R 16 W OF THE G. & S.R.M., MOHAVE COUNTY, ARIZONA

SCALE  
1" = 300'



N 1/4 C. S. 9  
FD 2 1/2" USGLD  
BRASS CAP  
MONUMENT  
DATED 1931



KHILL

DRAWN: 07-172 MP-1 07/18/07 K.J.H



2202 STOCKTON HILL RD. SITE A  
KINGMAN, ARIZONA 86401  
PHONE (928) 753-2827  
FAX (928) 753-8118  
ENGINEERING  
ASSOCIATES, INC.

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**EXHIBIT "A"**

A parcel of land located within Section 9, Township 21 North, Range 16 West of the Gila and Salt River Meridian, Mohave County, Arizona and being more particularly described as follows:

Commencing at the West One-quarter Section Corner of said Section 9 and running thence, North  $00^{\circ}05'06''$  East, along the West Line of said Section 9, a distance of 148.32 feet; thence, South  $89^{\circ}54'54''$  East, 1438.72 feet to the true POINT OF BEGINNING;

Thence, North  $28^{\circ}01'30''$  East, 42.00 feet to a point of curvature of a curve being concave to the Northwest, the radius point of which bears North  $28^{\circ}01'30''$  East, 30.00 feet;

Thence, Northeasterly 48.57 feet, along the arc of said curve through a central angle of  $92^{\circ}46'16''$  to the point of tangent of said curve;

Thence, North  $25^{\circ}15'14''$  East, 80.57 feet to the point of curvature of a tangent curve to the right having a radius of 180.00 feet;

Thence, Northeasterly 21.43 feet, along the arc of last said curve through a central angle of  $06^{\circ}49'20''$  to the point of tangent thereof;

Thence, North  $32^{\circ}04'34''$  East, 196.07 feet to the point of curvature of a tangent curve to the right having a radius of 330.00 feet;

Thence, Northeasterly 179.14 feet, along the arc of last said curve through a central angle of  $31^{\circ}06'08''$  to the point of tangent thereof;

Thence, North  $63^{\circ}10'42''$  East, 773.87 feet to the point of curvature of a tangent curve to the right having a radius of 295.00 feet;

Thence, Northeasterly 265.31 feet, along the arc of last said curve through a central angle of  $51^{\circ}31'44''$  to the point of tangent thereof;



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EXHIBIT "A"  
PAGE TWO OF TWO

Thence, South 65°17'34" East, 326.19 feet to a point on a curve being concave to the Northwest, the radius point of which bears South 77°31'24" West, 1200.00 feet;

Thence, Southwesterly 609.66 feet, along the arc of last said curve through a central angle of 29°06'32" to the point of tangent of last said curve;

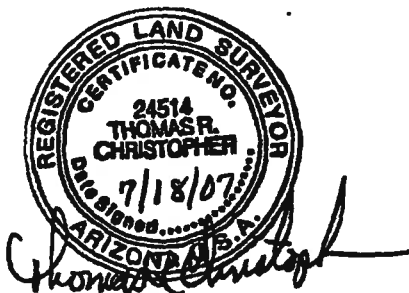
Thence, South 16°37'56" West, 44.74 feet to a point on a curve being concave to the Southeast, the radius point of which bears South 09°06'31" West, 1500.00 feet;

Thence, Southwesterly 621.42 feet, along the arc of last said curve through a central angle of 23°44'11" to the point of tangent of last said curve;

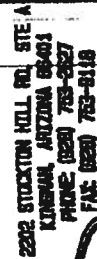
Thence, South 75°22'20" West, 217.52 feet to the point of curvature of a tangent curve to the right having a radius of 1000.00 feet;

Thence, Northwesterly 744.43 feet, along the arc of last said curve through a central angle of 42°39'10" to the POINT OF BEGINNING.

The parcel of land herein described containing 22.77 acres, more or less.



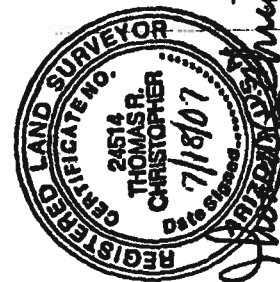
MAP TO ACCOMPANY DESCRIPTION OF PARCEL 1B WITHIN A PORTION OF  
S. 9, T 21 N, R 16 W OF THE G. & S.R.M., MOHAVE COUNTY, ARIZONA



**MURRAY  
ENGINEERING  
ASSOCIATES, INC.**

**DRAWN: 07-172 MP-2 07/18/07 KJH**

**KHILL**



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### EXHIBIT "B"

A parcel of land located within Section 9, Township 21 North, Range 16 West of the Gila and Salt River Meridian, Mohave County, Arizona and being more particularly described as follows:

Commencing at the West One-quarter Section Corner of said Section 9 and running thence, North  $00^{\circ}05'06''$  East, along the West Line of said Section 9, a distance of 148.32 feet; thence, South  $89^{\circ}54'54''$  East, 1438.72 feet to a point on a curve being concave to the Northeast, the radius point of which bears North  $28^{\circ}01'30''$  East, 1000.00 feet; thence, Southeasterly 744.43 feet, along the arc of said curve through a central angle of  $42^{\circ}39'10''$  to the point of tangent of said curve; thence, North  $75^{\circ}22'20''$  East, 217.52 feet to the point of curvature of a tangent curve to the right having a radius of 1500.00 feet; thence, Northeasterly 621.42 feet, along the arc of last said curve through a central angle of  $23^{\circ}44'11''$  to the true POINT OF BEGINNING;

Thence, North  $16^{\circ}37'56''$  East, 44.74 feet to the point of curvature of a tangent curve to the left having a radius of 1200.00 feet;

Thence, Northeasterly 609.66 feet, along the arc of last said curve through a central angle of  $29^{\circ}06'32''$  to a point;

Thence, South  $65^{\circ}17'34''$  East, 503.36 feet to the point of curvature of a tangent curve to the right having a radius of 330.00 feet;

Thence, Southeasterly 377.04 feet, along the arc of last said curve through a central angle of  $65^{\circ}27'48''$  to the point of tangent thereof;

Thence, South  $00^{\circ}10'14''$  West, 242.33 feet to the point of curvature of a tangent curve to the left having a radius of 30.00 feet;

Thence, Southeasterly 47.12 feet, along the arc of last said curve through a central angle of  $90^{\circ}00'00''$  to a point;

Thence, South  $00^{\circ}10'14''$  West, 42.00 feet to a point on a curve being concave to the Northeast, the radius point of which bears North  $00^{\circ}10'14''$  East, 800.00 feet;

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EXHIBIT "B"

PAGE TWO OF TWO

Thence, Northwesterly 275.57 feet, along the arc of last said curve through a central angle of  $19^{\circ}44'10''$  to the point of tangent thereof;

Thence, North  $70^{\circ}05'36''$  West, 180.59 to the point of curvature of a tangent curve to the left having a radius of 1500.00 feet;

Thence, Northwesterly 282.69 feet along the arc of last said curve through a central angle of  $10^{\circ}47'53''$  to the POINT OF BEGINNING.

The parcel of land herein described containing 8.56 acres, more or less.



WHEN RECORDED HOLD FOR  
KINGMAN CITY CLERK  
310 N. 4<sup>th</sup> Street  
Kingman, AZ 86401

PAGE: 1 of 6 FEE # 2008004119

**B: 7081 P: 177**

OFFICIAL RECORDS  
OF MOHAVE COUNTY  
JOAN MCCALL,  
COUNTY RECORDER



01/18/2008 02:08 PM Fee: \$12.50  
DOC TYPE: GORDI  
PAID BY: KINGMAN CITY CLERK

PAGE 1 OF 6

**CITY OF KINGMAN  
ORDINANCE NO. 1604**

**AN ORDINANCE BY THE MAYOR AND COMMON COUNCIL OF THE CITY OF KINGMAN, ARIZONA: FOR THE REZONING CERTAIN PROPERTY DESCRIBED IN EXHIBITS "A" AND "B" ATTACHED, FROM R-R: RURAL RESIDENTIAL TO C-3-PDD: COMMERCIAL, SERVICE BUSINESS, PLANNED DEVELOPMENT DISTRICT AND C-2: COMMERCIAL, COMMUNITY BUSINESS**

**WHEREAS**, Mohave Engineering Associates, Inc., agent for Vanderbilt Farms, LLC, and Doctors Community Hospital, property owners, has requested the rezoning of certain property from R-R: Rural Residential to C-3-PDD: Commercial, Service Business and C-2: Commercial, Community Business, and

**WHEREAS**, the subject property proposed for C-3-PDD zoning is approximately 115.59 acres in size and is described as a portion of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, AZ, and further described in Exhibit "A" attached, and

**WHEREAS**, the subject property proposed for C-2 zoning is approximately 55.49 acres in size and is described as a portion of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, AZ and further described in Exhibit "B" attached, and

**WHEREAS**, this proposed zoning districts are in accord with the projected land use and density standards of the adopted City of Kingman General Plan 2020, and

**WHEREAS**, the requested zoning districts would facilitate the development of a proposed retail shopping center, and

**WHEREAS**, the Planned Development District designation within the C-3 zoned portion of the subject site is intended to provide for various types of land uses compatible with retail and restaurant uses while excluding other uses which are not compatible with a retail shopping center, and

**WHEREAS**, the preliminary plat for Kingman Crossing Commercial, Tract 6039 will serve as the preliminary development map for the PDD proposal, and

**WHEREAS**, the rezoning requests were recommended for approval by the Kingman Planning and Zoning Commission at the meeting of December 11, 2007 by a 6-0 vote with certain conditions, and

**WHEREAS**, the Kingman Common Council has the authority to approve this request pursuant to the City of Kingman Zoning Ordinance, Sections 13.000, 19.000 and 31.000.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Common Council of the City of Kingman, Arizona: That the subject property 115.59 acres in size and described as a portion of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, AZ, further described in Exhibit "A" attached, be rezoned to C-3-PDD: Commercial, Service Business, Planned Development District, and the subject property 55.49 acres in size and described as a portion of Section 9, T.21N., R.16W., of the G&SRM, Mohave County, AZ, further described in Exhibit "B" attached, be rezoned to C-2: Commercial, Community Business with the following conditions:

1. The following uses shall not be permitted by right within the area zoned C-3-PDD: Storage and equipment yards associated with contractors offices, Truck sales and service, new and used, Truck and trailer rental and service, and Vehicle towing and storage.
2. The following uses shall not be permitted by Conditional Use Permit within the area zoned C-3-PDD: BMX racetrack, Mini-storages, Motocross racetrack, Off premises signs (billboards), Recreational vehicle parks, Swap meets (indoor and outdoor), Tire retreading and recapping, Travel trailer park, and Truck stops for truck stop facilities.
3. Where the C-3-PDD district directly abuts any residential zoning district, all buildings are to be setback at least 25 feet from the abutting property line. Parking areas may be allowed within the setback areas, but those areas cannot be used for commercial truck deliveries or outdoor storage purposes, including the placement of shipping containers.
4. Future building designs and colors shall be appropriate to the southwestern United States. Colors should include warm earth tones and highly reflective materials such as all metal or all glass buildings shall be avoided. Building designs shall include the use of varied parapets, columns, popouts and pilasters to avoid the appearance of long blank walls.
5. At least ten (10) feet of walkway shall be required between the front entrance of any buildings and parking lot traffic aisles to provide adequate walking room and to reduce pedestrian/vehicle conflicts.
6. Overall sign plans shall be submitted at the time of development which compliments the architectural theme of the principal buildings in terms of design and color. All free-standing signs shall have skirting around the pole supports at the base. The sign base shall be at least 50% of the width of the sign width.
7. All parking areas shall have one tree for every 15 parking spaces. A raised landscaped berm or a continuous wall at least 3 feet in height or some combination of both, or other screening method acceptable to staff shall be used to screen all parking areas from adjacent public streets including Kingman Crossing Boulevard, Santa Rosa Drive, Prospector Street, Grand Canyon Road and Wagon Wheel Drive. Perimeter planting strips at least 10 feet in width along the street frontages shall be required.
8. Heavy landscaping and a buffer wall shall be located at the time of development where the C-3-PDD district directly abuts any residential zoning district.
9. All commercial driveways shall align on both sides of the streets where there are no medians.

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10. The issuance of building permits by the City of Kingman on the subject properties shall not occur until a notice to proceed has been made by ADOT and construction of the Kingman Crossing interchange has begun.

**PASSED AND ADOPTED** by the Mayor and Common Council of the City of Kingman, Arizona this 7th day of January, 2008.

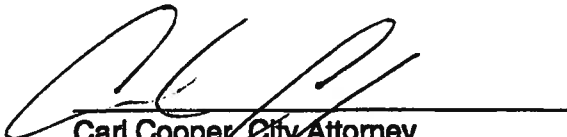
**ATTEST:**

**APPROVED:**

  
Deborah Francis, City Clerk

  
Lester Byram, Mayor

**APPROVED AS TO FORM:**

  
Carl Cooper, City Attorney

## **EXHIBIT "A" C-3-PDD REZONING**

### **DESCRIPTION FOR REZONE**

A parcel of land located within Section 9, Township 21 North, Range 16 West of the Gila and Salt River Meridian, Mohave County, Arizona and being more particularly described as follows:

Commencing at the Northwest Section Corner of said Section 9 and running thence, South 00°05'06" West, along the West Line of said Section 9, a distance of 2381.30 feet; thence, South 89°49'28" East, 516.00 feet to a point being the Northeast corner of that parcel of land as described in Book 4515 of Official Records, Page 896 and said point being the true POINT OF BEGINNING;

Thence, North 55°28'02" East, 530.87 feet;

Thence, North 52°33'19" East, 42.00 feet to a point on a curve being concave to the Northeast, the radius point of which bears North 52°33'19" East, 1455.20 feet;

Thence, Southeasterly 623.02 feet, along the arc of said curve through a central angle of 24°31'49" to a point;

Thence, South 28°01'30" West, 42.00 feet to a point on a curve being concave to the Northeast, the radius point of which bears North 28°01'30" East, 1000.00 feet;

Thence, Southeasterly 744.43 feet, along the arc of last said curve through a central angle of 42°39'10" to the point of tangent of last said curve;

Thence, North 75°22'20" East, 217.52 feet to the point of curvature of a tangent curve to the right having a radius of 1500.00 feet;

Thence, Southeasterly 904.11 feet, along the arc of last said curve through a central angle of 34°32'04" to the point of tangent of said curve;

Thence, South 70°05'36" East, 180.59 feet to the point of curvature of a tangent curve to the left having a radius of 800.00 feet;

Thence, Southeasterly 275.57 feet, along the arc of last said curve through a central angle of 19°44'10" to the point of tangent of last said curve;

Thence, North 00°10'14" East, 42.00 feet;

Thence, South 89°49'46" East, 1301.85 feet to the point of curvature of a tangent curve to the left having a radius of 529.50 feet;

Thence, Northeasterly 92.42 feet, along the arc of last said curve through a central angle of 10°00'00" to the point of tangent of last said curve;



**EXHIBIT "A" C-3-PDD REZONING**

DESCRIPTION FOR REZONE  
PAGE ONE OF TWO

Thence, North 80°10'14" East, 32.54 feet to the point of curvature of a tangent curve to the right having a radius of 613.50 feet;

Thence, Northeasterly 85.94 feet, along the arc of last said curve through a central angle of 08°01'33" to the point of reverse curve to the left, the radius point of which bears North 01°48'13" West, 30.00 feet;

Thence, Northeasterly 46.16 feet, along the arc of last said curve through a central angle of 88°09'38" to a point;

Thence, South 00°02'09" West, along a line lying 42.00 feet West of and parallel with the East Line of said Section 9, a distance of 71.69 feet to a point on the East-West Centerline of said Section 9;

Thence, South 89°49'47" East, along the East-West Centerline of said Section 9, a distance of 42.00 feet to a point being the East One-quarter Section Corner of said Section 9;

Thence, South 00°03'27" West, along the East Line of said Section 9, a distance of 1633.36 feet to a point on the North right-of-way boundary of U.S. Highway I-40;

Thence, North 73°22'04" West, along the North right-of-way of U.S. Highway I-40, a distance of 4260.29 feet to the point of curvature of a non-tangent curve to the left, the radius point of which bears South 16°38'37" West, 11601.36 feet;

Thence, Northwesterly 708.18 feet, along the arc of last said curve through a central angle of 03°29'51" to a point;

Thence, North 00°05'06" East, 504.56 feet to the POINT OF BEGINNING.

The parcel of land herein described containing 115.59 acres, more or less.



06-637 PCL A REZONE

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## EXHIBIT "B": C-2 REZONING

### DESCRIPTION FOR REZONE

A parcel of land located within Parcel 10 according to the Parcel Plat recorded on December 3, 1979 in Book 1 of Parcel Plats, Page 67 at Fee Number 79-41155, Mohave County Official Records, and within the South half of the Southwest quarter of Section 10, Township 21 North, Range 16 West of the Gila and Salt River Meridian, Mohave County, Arizona and being more particularly described as follows:

Commencing at the West One-quarter Section Corner of said Section 10, and running thence, South 00°03'27" West, along the West Line of said Section 10, a distance of 570.00 feet; thence, South 89°56'33" East, 42.00 feet to a point on the West boundary of said Parcel 10 and said point being the true POINT OF BEGINNING;

Thence, South 89°56'33" East, 121.95 feet to the point of curvature of a tangent curve to the right having a radius of 750.00 feet;

Thence, Southeasterly 778.33 feet, along the arc of said curve through a central angle of 59°27'36" to the point of tangent of said curve;

Thence, South 30°28'57" East, 166.49 feet to the point of curvature of a tangent curve to the left having a radius of 496.41 feet;

Thence, Southeasterly 514.17 feet, along the arc of last said curve through a central angle of 59°20'48" to a point on the North boundary of the South half of the Southwest quarter of said Section 10, and said point being common to the Southeast corner of said Parcel 10;

Thence, South 89°49'45" East, along the North boundary of the South half of the Southwest quarter of said Section 10, a distance of 1321.07 feet to the Northeast corner of the South half of the Southwest quarter of said Section 10;

Thence, South 00°04'17" West, along the East boundary of the Southwest quarter of said Section 10, a distance of 1090.90 feet to a point on the Northerly right-of-way boundary of U.S. Interstate 40;

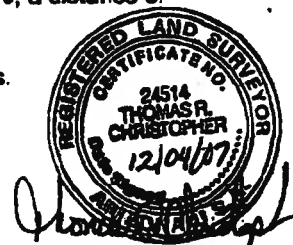
Thence, North 73°22'04" West, along said Northerly right-of-way boundary, a distance of 2756.40 feet to a point on the West Line of said Section 10;

Thence, North 00°03'27" East, along the West Line of said Section 10, a distance of 309.82 feet to the Northwest corner of the South half of the Southwest quarter of said Section 10;

Thence, South 89°49'45" East, along the North boundary of said South half of the Southwest quarter, a distance of 42.00 feet to a point being the Southwest corner of said Parcel 10;

Thence, North 00°03'27" East, along the West boundary of said Parcel 10, a distance of 753.92 feet to the POINT OF BEGINNING.

The parcel of land herein described containing 55.49 acres, more or less.





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Tina D. Moline, Financial Services Director

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Determine a property tax base levy and use of revenues for the May 17, 2016 election

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### **SUMMARY:**

Over the past several months, City Council has had many discussions surrounding the consideration of a primary property tax. At the January 7, 2016 Council work session the general consensus was to move forward with the primary property tax initiative, but the property tax base levy and use of revenues were not determined. In order to meet the May 17, 2016 election timelines, Council must determine the primary property tax base levy and use of revenues at the January 19, 2016 City Council meeting.

### **FISCAL IMPACT:**

Since the primary property tax base levy has yet to be determined and approved by the voters, the fiscal impact is unknown at this time.

### **STAFF RECOMMENDATION:**

In order to meet the May 17, 2016 election timelines, staff recommends Council approve a primary property tax base levy and use of revenues.

### **ATTACHMENTS:**

Description

Property Tax Base Levy and Use of Revenue Determination

### **REVIEWERS:**

Department	Reviewer	Action	Date
Finance	Moline, Tina	Approved	1/12/2016 - 2:14 PM
City Attorney	Cooper, Carl	Approved	1/12/2016 - 3:52 PM
City Manager	Dougherty, John	Approved	1/12/2016 - 2:32 PM

# Property Tax

Proposing a Levy Amount  
Determining the Use

January 19, 2016

# WHY WE NEED TO REPLACE THE 0.50% TPT

GENERAL FUND	BUDGET FY07	BUDGET FY13	BUDGET FY16
REVENUES			
Local			
Sales Tax	\$14,800,000	\$10,568,500	\$14,100,000
Room Tax (2%)	345,000	360,000	360,000
Restaurant & Bar Tax	0	600,000	0
Other Fees	696,500	838,500	800,500
State			
Sales Tax	2,512,104	2,300,000	2,415,000
Income Tax	2,862,177	2,860,000	3,275,000
Auto Lieu Tax	1,480,000	1,340,000	1,300,000
Recreation Fees	1,329,000	1,396,500	1,206,100
Miscellaneous Fees & Charges	2,322,000	1,054,500	1,198,100
Internal Fund Transfers	1,274,940	1,302,884	1,202,553
<b>TOTAL REVENUES</b>	<b>\$27,621,721</b>	<b>\$22,620,884</b>	<b>\$25,857,253</b>
EXPENDITURES			
Personnel Expenses	\$17,910,811	\$15,755,173	\$17,665,134
Supplies & Services	5,127,250	4,859,600	5,307,418
City & Internal Services	1,759,465	1,606,240	1,838,748
Capital Outlay, Lease Purchases & Debt	1,332,700	488,500	851,000
Cash Transfers & Budget Adjustments	3,437,988	2,030,497	1,915,505
Contingency	0	1,000,000	1,000,000
<b>TOTAL EXPENDITURES</b>	<b>\$29,568,214</b>	<b>\$25,740,010</b>	<b>\$28,577,805</b>
BEGINNING FUND BALANCE	\$6,442,870	\$7,125,097	\$12,831,834
ENDING FUND BALANCE	\$4,496,377	\$4,005,971	\$10,111,282
% OF OPERATING EXPENDITURES	15.21%	15.56%	35.38%

	FY07	FY13	FY16
Total FTE's	376.5	332.5	334
General Fund /Dispatch FTE's	249.25	218.5	221.5
Building Permits	531	406	511
Population	26,917	28,335	28,620
Water Customers	18,585	18,628	19,077
Sewer Customers	8,878	9,219	9,720

# WHERE DOES THE 0.50% TPT GO?

## **ORDINANCE 1751R EXCERPT**

Section 6, The revenue generated from the additional 0.5% incremental increase in the tax rate will be designated as follows: restore and maintain general fund unreserved fund balance to no less than 25% of general fund operating expenditures; fund necessary police and fire mobile data terminal system; replace aged and obsolete breathing apparatus used by public safety personnel to operate in hazardous environments; replace fully depreciated public safety equipment and fleet; comply with state mandated automated fingerprinting system; reconstruction and improvements to Airway Avenue west of Stockton Hill Road; establish and install measures for a quiet zone in downtown Kingman; and if there are excess revenues in future years, said revenues will be applied to projects, public safety and general services as appropriated by the Council.

	BUDGET FY14	BUDGET FY15	BUDGET FY16
<b>SOURCE</b>			
TPT - 0.50%	2,640,000	2,740,000	2,820,000
<b>USES</b>			
Salary & Retirement - Public Safety	(226,709)	(511,199)	(1,581,837)
Fleet, Equipment & Bldg Imp - Public Safety	(12,000)	(53,770)	(207,000)
Capital Projects - SHR to Western	(165,000)		
Capital Projects - Quiet Zone	(20,000)		
Capital Projects - Mobile Data Terminal Sys	(89,615)		
Abatements	(50,000)	(50,000)	(100,000)
Salary & Retirement - Other G/F Depts	(152,555)	(80,109)	(328,124)
Fleet, Equipment & Bldg Imp - Other G/F Depts	(223,500)	(45,500)	(155,500)
Supplies and Services	(185,500)	(49,270)	(312,500)
City and Internal Services (Legal Fees & Bldg Imps)	(104,347)	(196,683)	(232,508)
Interfund Transfers	(316,355)	226,356	114,992
<b>ENDING BALANCE USED TO INCREASE G/F</b>	<b>1,094,419</b>	<b>1,979,825</b>	<b>17,523</b>

# CITY AND COUNTY INCOME COMPARISONS

## Poverty Thresholds

### Size of Family Unit Weighted Average Thresholds

4 persons - \$24,230

3 persons - \$18,850

2 persons under 65 years of age - \$15,934

2 persons 65 years of age and older - \$14,326

### CITY OF KINGMAN

Median Household Income

\$44,433

Poverty Rate

18.0%

Poverty Rate (as of 2010) 65 yrs and older

19.1%

### MOHAVE COUNTY

Median Household Income

\$39,200

Poverty Rate

19.4%

Poverty Rate (as of 2014) 65 yrs and older

26.9%

# PROJECTS AND PRIORITIES

## PUBLIC SAFETY

Fire Station #5 (East Bench)	1,850,000	Rapid Response Personnel - Recurring	260,175
Fire Station #5 Personnel - Recurring	853,107	Rapid Response Vehicle	35,000
Addition of Beat 6 Patrol Personnel - Recurring	306,760	Fire Station #2 Reconstruction/Trg Grounds	2,325,000
Beat 6 Patrol Vehicles	360,000	Fire Engine Fleet Replacement	475,000
Annual Vehicle & Equipment Replacements – Police AND Fire			

## STREETS

Eastern Street from Pasadena to Airway	Up to 6,000,000	Kingman Crossing, ancillary roads and infrastructure
Maintaining existing pavements in SHR, Andy Devine, and Airway		

## OTHER PROJECTS

AMR/AMI up to \$10,000,000  
Sewer Extensions  
Reclaimed Water Use



# PROPERTY TAX BASE LEVY COMPARISONS

\$4.5 Million

	FY17	FY18	FY19	FY20	FY21	
Property Tax Levy	4,500,000	4,590,000	4,681,800	4,775,436	4,870,945	
Less: TPT Replacement	(1,300,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	
Less: Delinquencies	(450,000)	(459,000)	(468,180)	(477,544)	(487,094)	
<b>Leftover Property Tax Levy</b>	<b>2,750,000</b>	<b>1,131,000</b>	<b>1,213,620</b>	<b>1,297,892</b>	<b>1,383,850</b>	<b>7,776,363</b>
Build Fire Station #5						
Construction & Equipment		(1,850,000)				
Personnel		(927,000)	(954,810)	(983,454)	(1,012,958)	
Eastern Imps - Finance 20 yrs @ 4.0%		(441,491)	(441,491)	(441,491)	(441,491)	
<b>Property Tax Levy Balance</b>		<b>662,509</b>	<b>479,828</b>	<b>352,775</b>	<b>282,176</b>	

\$6.0 Million

	FY17	FY18	FY19	FY20	FY21	
Property Tax Levy	4,500,000	6,120,000	6,242,400	4,500,000	4,500,000	
Less: TPT Replacement	(1,300,000)	(3,000,000)	(3,000,000)	(3,000,000)	(3,000,000)	
Less: Delinquencies	(600,000)	(612,000)	(624,240)	(450,000)	(450,000)	
<b>Leftover Property Tax Levy</b>	<b>2,750,000</b>	<b>2,508,000</b>	<b>2,618,160</b>	<b>1,050,000</b>	<b>1,050,000</b>	<b>9,976,160</b>
Build Fire Station #5						
Construction & Equipment		(1,850,000)				
Personnel		(927,000)	(954,810)	(983,454)	(1,012,958)	
Eastern Imps - Finance/Cash Option						
Cash \$3M		(500,000)	(2,500,000)			
Finance \$3M for 15 yrs @ 4.0%			(269,823)	(269,823)	(269,823)	
<b>Property Tax Levy Balance</b>		<b>1,981,000</b>	<b>874,527</b>	<b>671,250</b>	<b>438,469</b>	

# LEVY LIMITS, RATES & EXEMPTIONS

Property Tax Levy	\$500,000	\$3,000,000	\$4,500,000	\$5,000,000	\$6,000,000
Property Owner Rate/\$100 Assessed Value	\$ .2808	\$ 1.6849	\$ 2.5273	\$ 2.8081	\$ 3.3697
Yearly Cost to Property Owner with \$100,000 Limited Property Value	\$ 28.08	\$ 168.49	\$ 252.73	\$ 280.81	\$ 336.97

The average FY15 value (LPV) of a Kingman property is \$80,190.

## **Mohave County**

Mohave County	\$1.9696
Mohave County TV District	\$0.0200
Mohave County Library District	\$0.2236
Mohave County Flood Control District	\$0.5000
Fire District Assistance Fund	<u>\$0.1000</u>
<b>Total Mohave County</b>	<b>\$2.8132</b>

## **Education**

State School Tax Equalization	\$0.5054
Mohave Community College	\$1.2927
Kingman Unified School District	\$4.8809
KUSD School Bonds	\$1.5565
Western AZ Voc Ed Dist (JTED)	<u>\$0.0500</u>
<b>Total Education</b>	<b>\$8.2855</b>

## **Exemptions**

Churches, governments, hospitals and other non-profit entities are fully exempt.

Widows, Widowers and Disabled Persons must meet certain eligibility requirements to qualify for an exemption. The maximum exemption for FY15 is a reduction in the assessed value of \$3,724.

## **Senior Property Valuation Protection Option**

Property owners 65 years and older must meet certain eligibility requirements to qualify for this option. If met, the LPV can freeze for a period of 3 years. Every 3 years thereafter, the property owner must re-apply.



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** John A. Dougherty, City Manager

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Fireworks

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### **SUMMARY:**

At the recently held Council Work Session there was discussion on whether the Council was interested in doing a Block Party or Fireworks for the July 4 celebration. The direction given at the time was that Council was more interested in a Block Party than Fireworks. Also at the Work Session Ms. Judith Landells invited Kingman to come to Valle Vista for a fun filled day of events, culminating in a fireworks display. Since the Work Session Erin Cochran has stepped forward and said that she is willing to raise the funds if the City is willing to put on the show. Erin needs to know, at this meeting, whether staff is being directed to put funds into the 2016-17 budget to cover the costs and she will raise the funds and turn them over to the City to cover our costs.

### **FISCAL IMPACT:**

Unless sponsors can be found the Block Party will have an expense associated with it, however, there should be minimal costs for fireworks if Erin Cochran is able to raise the funds.

### **STAFF RECOMMENDATION:**

While it will be labor intensive, staff recommendation is to do both provided a safe location can be secured for the fireworks display and funds can be secured from private sources.

### **REVIEWERS:**

Department	Reviewer	Action	Date
City Manager	Dougherty, John	Approved	1/13/2016 - 12:45 PM
City Attorney	Cooper, Carl	Approved	1/13/2016 - 1:30 PM
City Manager	Dougherty, John	Approved	1/13/2016 - 12:51 PM



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Engineering Services

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Engineering Department report and capital project updates

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### **SUMMARY:**

Engineering Services will provide a report on the department and its functions and responsibilities. There will also be an update and review of current Capital Improvement Projects (CIP).

### **FISCAL IMPACT:**

None at this time

### **STAFF RECOMMENDATION:**

This presentation is for informational purposes.

### **ATTACHMENTS:**

Description  
Slide Show

### **REVIEWERS:**

Department	Reviewer	Action	Date
Engineering	Henry, Greg	Approved	1/12/2016 - 12:07 PM
City Attorney	Cooper, Carl	Approved	1/12/2016 - 3:53 PM
City Manager	Dougherty, John	Approved	1/13/2016 - 12:52 PM



# City of Kingman

## Engineering Department

### January 19, 2016

# Historic Engineering Building

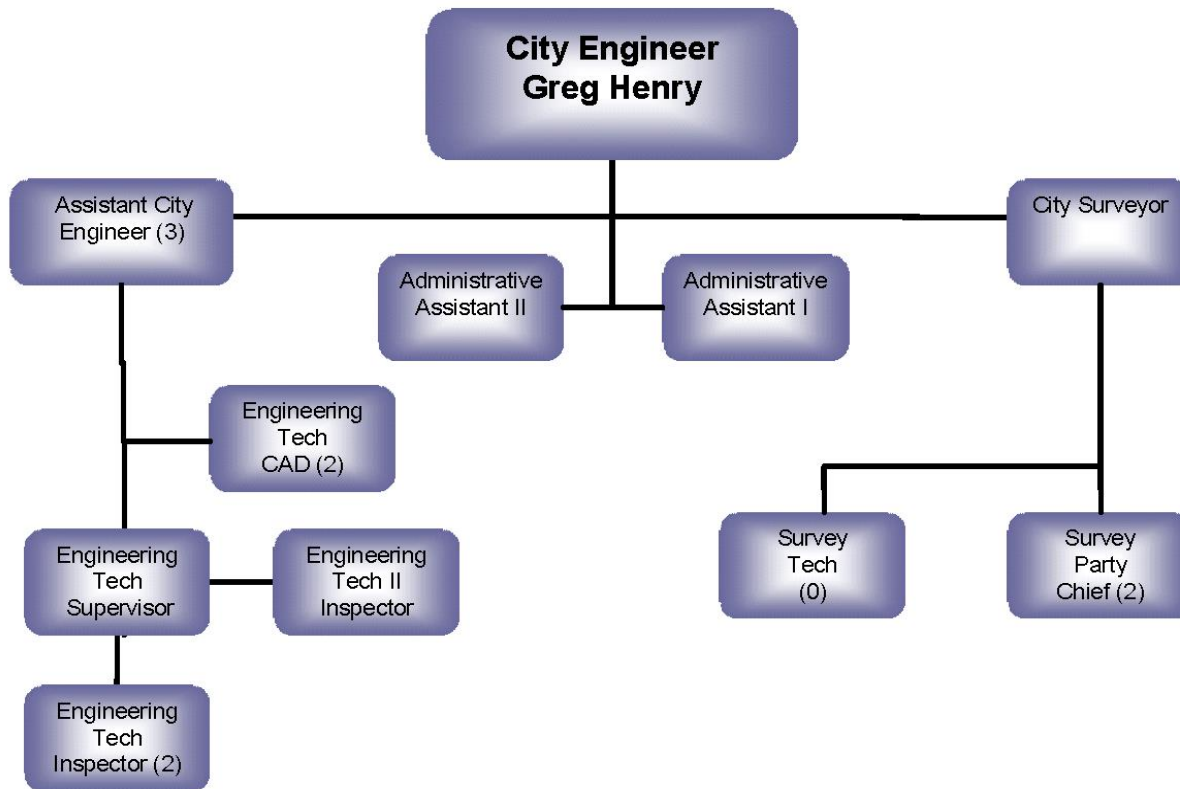
220 N. Fourth Street



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# Organizational Chart

15 Full Time Employees (FTEs)





# Responsibilities

- Review and Approve Development Plans
- Administer ROW & Utility Permits
- Inspect Public Works Facilities
- Address Properties & Subdivisions
- Provide Survey Support & Control
- Maintain Water and Sewer Records
- Staff Liaison for Utility Commission
- Administer Water/Sewer Payback Records
- Mapping Needs
- Implement CIP Program



# Performance Measures

Description	FY13-14	FY14-15	FY-15-16 (Est)
Capital Projects (\$)	5,486,738	1,181,124	7,000,000
Development Plans Reviewed	58	36	50
Subdivision Plans Reviewed	7	6	8
MUC Applications Reviewed	8	7	6
ROW Permits Issued	364	360	380
Water Connection Permits	179 (146 In / 33 Out)	232 (182 In / 50 Out)	236
Information Requests	1,147	1,102	1,100

# Sewer Connections

Description	FY 12/13	FY 13/14	FY 14/15	FY 15/16 (as of 1-8-16)
New SFR Inside	93	115	170	79
New SFR Outside	35	32	29	16
Existing Homes / Septic Failures	4	5	11	1
Commercial	7	5	10	1
Totals	139	157	220	97

# Capital Improvement Program

## Current Projects:

**In House Designs - \$ 7,499,000**

**Consultant Designs - \$ 1,371,000**

**Under Construction - \$ 5,152,500**

# Current Projects (1 of 4)

Engineering Department	Last Updated				
Design & Capital Improvement Program	11-Jan-16				
FY 2015-2016					
	Project				
Project Description	Number	Status	Budget	Bid Amount	Comments
STREETS					
Andy Devine/First Street Improvements Grant	ENG14-039	100%	\$323,528		Bids due February 5, City Match \$66,760
Eastern Street Design - Pasadena to Airway	ENG15-048	30%	\$425,000	\$449,590	Ritoch-Powell
I-40 Crossing Feasibility Study	ENG15-042	20%	\$250,000	\$113,053	AECOM Technical Services
Stockton Hill Road - I-40 to Airway	ENG15-0076		\$1,000,000		Assist Public Works w/CMAR as needed. Chip Seal Budget
Fourth Street Glass Block Replacement	ENG13-065	100%	\$60,000	\$58,968	TR Orr Amendment 2, Glass Blocks ship date is 1-27
Fourth Street Signal Improvements	ENG15-050		\$70,000		Lee Engineering Study
WATER					
Water Capital Renewal					
Distribution Lines			\$800,000		
Jagerson - Bank Street to Marshall (includes service connections)	ENG12-013	Complete	Inc. w/ Above	\$192,512	Freiday Construction
Stirrup Drive - Cattle to Gordon	ENG13-054	Complete	Inc. w/ Above	\$152,289	Freiday Construction
Goldroad Alley - Fourth to Fifth (Replace 4" Steel)	ENG14-085	90%	Inc. w/ Above		Freiday Construction
Oak/Beale Alley - Seventh to Negus Bldg (Priority 1)	ENG14-086	90%	Inc. w/ Above		Freiday Construction
Metcalf - Spring to Lead St. (Priority 4)	03-W-0009	60%	Inc. w/ Above		Freiday Construction
Relocate PRV to Southside Park (Priority 9)	ENG14-095	30%	Inc. w/ Above		Freiday Construction
First/Spruce/Darby (Priority 5)	ENG14-094	30%	Inc. w/ Above		Freiday Construction
Pine St/Fifth St - Sixth to Court (Priority 2)	ENG13-059	90%	Inc. w/ Above		Freiday Construction
Spring/Oak Alley - Fifth to Sixth St (Priority 3)	ENG13-059	90%	Inc. w/ Above		Freiday Construction
Third St - Pine to Oak/Beale Alley (Priority 7)	ENG14-087	90%	Inc. w/ Above		Freiday Construction
Melody & Evans - Gordon to Kino (Priority 8)	ENG14-097	100%	Inc. w/ Above	\$270,497	Freiday Construction
Crestwood at Gordon	ENG14-096	30%	Inc. w/ Above		Freiday Construction
Franklin Drive - Louise to Easement north of Lot 1	ENG15-067	100%	Inc. w/ Above	\$21,118	Emergency Replacement; GNT Pipeworks LLC
Stockton Hill Road Water Line Replacement	ENG14-108		\$750,000		Airway to Gordon

# Current Projects (2 of 4)

Engineering Department	Last Updated				
Design & Capital Improvement Program	11-Jan-16				
FY 2015-2016					
	Project				
Project Description	Number	Status	Budget	Bid Amount	Comments
Surge Tanks			\$185,000		
Rattlesnake Surge Tank	ENG15-002	U.C.	Inc.w/ Above		Freiday Construction Inc
Castlerock Surge Tank	ENG15-002	95%	Inc.w/ Above		Freiday Construction Inc
City Well No. 11 Surge Tank	ENG15-002	95%	Inc.w/ Above		Design Only
Storage Tank Restoration	ENG14-105	Complete	\$200,000	\$257,068	Freiday Construction Inc
Automated Meter Reading			\$3,500,000		Assist Public Works as needed
Water Projects Fund					
Water Master Plan Update	ENG15-046	10%	\$300,000	\$232,000	Sunrise Engineering
Reclaimed Water Reuse Study	ENG15-047	60%	\$100,000	\$97,500	Sunrise Engineering
Rattlesnake Booster Pumps/Motors	ENG12-010	100%	\$630,000	\$528,794.44	Freiday Construction Inc./Felix
Transmission Line from Rattlesnake to Rancho Santa Fe	ENG12-010	100%	\$2,050,000	\$1,365,689.12	Freiday Construction Inc
Stockton Hill Road 12" Waterline			\$1,000,000		
SEWER					
Berk Avenue & Beverly Avenue - Fairfax to Harvard			\$585,806		CDBG Project; waiting on funding
Waste Water Projects Fund					
Sewer Slip Lining/Repair			\$100,000		
Chestnut Sewer Relocation	05-S-0030	90%	\$100,000	\$108,889	Freiday Construction
Sewer Line Replacement/Realignment			\$150,000		
Sewer Master Plan Update	ENG14-112	95%	\$87,500		
Downtown Sewer Infiltration Study	ENG14-112	95%	\$60,000		
Downtown Outfall Sewer Study	ENG14-113	90%	\$60,000		
Sewer Line Extensions			\$300,000		Design from Priority List Recommended by MUC 28 Feb 2013
Lovin Avenue - Washington to Eastern	ENG14-090	Complete	Inc.w/ Above	\$68,559	Freiday Construction
Colorado Avenue - Adams to Eastern	ENG14-091	Complete	Inc.w/ Above	\$77,754	Freiday Construction
Jerome Street - Pacific Avenue to Airfield Avenue	ENG14-098	100%	Inc.w/ Above	\$90,354	Freiday Construction
Prescott Street - Pacific Avenue to Airfield Avenue	ENG14-099	100%	Inc.w/ Above	\$84,692	Freiday Construction
Southern Avenue - Jackson to Monroe	ENG12-021	30%	Inc.w/ Above	\$44,481	Freiday Construction
Southern Avenue - Mid Block Monroe to Adams	ENG14-088	30%	Inc.w/ Above	\$21,501	Freiday Construction
Valentine Avenue - Fairgrounds Blvd to Chloride Street	ENG14-092		Inc.w/ Above		Freiday Construction
John L Avenue - Castle Rock to Jimmie Dr.	ENG14-093		Inc.w/ Above		Freiday Construction
Mohave Wash Trunk Sewer	ENG08-084	90%	\$450,000	\$630,997	Freiday Construction
Septage Station			\$175,000		
I-40 Sewer Line Boring			\$224,000		
Waste Water Capital Renewal					
Sewer Capital Renewal Projects			\$150,000		

# Current Projects (3 of 4)

Engineering Department	Last Updated				
Design & Capital Improvement Program	11-Jan-16				
FY 2015-2016					
	Project				
Project Description	Number	Status	Budget	Bid Amount	Comments
FLOOD					
Beverly Avenue - SHR to Western Avenue	ENG15-020		\$250,000		
Bull Mountain Drainage Channel			\$100,000		ROW Acquisition south of Gordon
Drainage Land Acquisition	ENG15-018		\$100,000		Golden Gate Addition, Eastern Street
RR Drainage Channel			\$100,000		ROW Acquisition per County DCR
Master Drainage Plan Update			\$500,000		
Golden Gate ID Drainage	ENG15-053		\$100,000		
Southern Vista Drainage Channel	ENG15-023			\$5,470	Bull Mountain Engineering
Drainage Maintenance & Erosion Protection			\$300,000		
N. Harvard Street - Shadow Mnt to Canyon Hills Road	ENG13-066	Complete	Inc.w/ Above		Construct Pavement & Curbs
Fourth Street & Oak Sidewalk ramp	ENG14-007	100%	Inc.w/ Above		City Complex - Design Complete, need to re-bid
Lovin & Kachina Avenue Grade to Drain	ENG15-056	Complete	Inc.w/ Above	\$2,500	Grade Streets & Drainage Parcels
Drainage Channel Bet Fripps Ranch & HMR			Inc.w/ Above		Clean and Grout
Gates Avenue	ENG14-074		Inc.w/ Above		1900 Block
Broudy Drive @ Eastern			Inc.w/ Above		
Lovin Ave east of Eastern	ENG15-041		Inc.w/ Above		
Prospector @ Monte Silvano	ENG15-059	90%	Inc.w/ Above		
10th Street	ENG15-015		Inc.w/ Above		
Florence Avenue - Main to Fairgrounds			Inc.w/ Above		2031 Florence
Lucille Avenue - Main to			Inc.w/ Above		
Diamond Joe			Inc.w/ Above		
Van Buren Street			Inc.w/ Above		
Club Avenue			Inc.w/ Above		
Johnson Avenue - Main to Andy Devine			Inc.w/ Above		
Canyon Hills Road - Harvard to the east			Inc.w/ Above		
Southern Vista and Steamboat	ENG13-049	30%	\$250,000		Drainage Parcel is undersized, needs to be regraded, & various ongoing problems

# Current Projects (4 of 4)

Engineering Department	Last Updated				
Design & Capital Improvement Program	11-Jan-16				
FY 2015-2016					
	Project				
Project Description	Number	Status	Budget	Bid Amount	Comments
ROW / EASEMENTS					
Gates Avenue (311-14-326)	ENG15-018	Complete		\$8,000	Closed on July 20, 2015
1921 Davis Avenue (311-15-223)	ENG14-036				Resolution No. 4897. Sent Letter May 1, 2015
Gates Avenue (311-14-325)	ENG15-018	Complete		\$12,000	Closed on October 5, 2015
Gates Avenue (311-14-324)	ENG15-018	Complete		\$12,000	Closed on November 13, 2015
Golden Gate Avenue (E. portion of 311-14-319G)	ENG15-018	Complete		\$42,500	Closed on November 13, 2015
24" Water Transmission Line Easement			\$167,500		Bet. SHR & N. Glen Road - Tax Parcel 320-03-229
MISC./ADMINISTRATIVE					
Water & Sewer Map GIS Concept Study	ENG14-116	100%	\$42,200	\$42,200	Sunrise Engineering
Engineering Rate Study	ENG14-114	90%	\$35,000		EPS Group
Local Limits & WW Classification Study	ENG15-051	30%	\$51,823		Dr. Patti Trahern, P.E.
WW Assessment Study	ENG15-006	95%			EPS Group Inc.
Surge Tank Designs	ENG15-002	95%	\$65,000	\$60,180	EPS Group Inc.
CMAR Engineering Building Roof, AC, Etc.	ENG15-052	10%	\$115,000		
CMAR Stockton Hill Mill & Fill	ENG15-0076				Detroit to Airway
CMAR Design & Construction Phase I	ENG12-010	Complete			Freiday Construction Inc.
CMAR Construction Phase II	ENG12-010	75%			Freiday Construction Inc.
CMAR Design Phase (Water/Sewer Projects)	ENG14-084				Freiday Construction Inc.
CMAR 3 Construction Phase III	ENG14-084				Freiday Construction Inc.
JOC For Drainage and Street Projects	ENG15-016				TR Orr, McCormick Construction, Desert Construction
Drainage Report for Area West of KRMC	ENG13-058	Complete	\$30,000	\$30,000	JE Fuller. Final Report Received 8.31.2015.
FEMA Grant Mapping & Update Drainage/Design Manual	ENG15-004	75%			
Byways Powhrhouse Grant			\$330,061		Assist Public Works as needed
Splash Park			\$325,000		Assist Parks Dept as needed

# Questions?





## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:**

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Board, Commission and Committee Reports by Council Liaisons

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**SUMMARY:**

**FISCAL IMPACT:**

**STAFF RECOMMENDATION:**

**REVIEWERS:**

Department	Reviewer	Action	Date
City Clerk	Muhle, Sydney	Approved	1/14/2016 - 5:32 PM



## **CITY OF KINGMAN COMMUNICATION TO COUNCIL**

**TO:** Honorable Mayor and Common Council

**FROM:** Carl Cooper, City Attorney

**MEETING DATE:** January 19, 2016

**AGENDA SUBJECT:** Executive Session

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### **SUMMARY:**

Pursuant to ARS 38-431.03(A)(4), the City Attorney requests that the Council go into executive session to discuss potential litigation regarding the Central Christian Church and the City's denial of a Conditional Use Permit.

### **FISCAL IMPACT:**

### **STAFF RECOMMENDATION:**

Go into executive session for legal consultation.

Discussion and/or action if necessary.

### **REVIEWERS:**

Department	Reviewer	Action	Date
City Attorney	Cooper, Carl	Approved	1/13/2016 - 6:41 PM
City Attorney	Cooper, Carl	Approved	1/13/2016 - 6:41 PM
City Manager	Dougherty, John	Approved	1/13/2016 - 6:55 PM